

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 845**  
**94TH GENERAL ASSEMBLY**

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Reported from the Committee on Local Government April 30, 2008 with recommendation that House Committee Substitute for Senate Bill No. 845 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

3502L.02C

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**AN ACT**

To repeal sections 48.030, 49.292, 57.280, 64.170, 67.402, 67.1360, 71.012, 88.917, 89.080, 89.090, 94.834, 94.900, 94.902, 105.452, 108.250, 137.115, 190.094, 190.308, 210.221, 231.444, 233.010, 233.155, 242.230, 242.500, 245.020, 245.105, 245.197, 246.305, 302.341, 305.410, 311.060, 320.302, 321.200, 349.045, 478.466, 488.435, 546.902, and 650.350, RSMo, and section 89.120, as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 89.120, as enacted by senate committee substitute for house bill no. 1352, eighty-ninth general assembly, second regular session, and to enact in lieu thereof fifty-one new sections relating to political subdivisions, with penalty provisions, and an emergency clause, for a certain section.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 48.030, 49.292, 57.280, 64.170, 67.402, 67.1360, 71.012, 88.917, 89.080, 89.090, 94.834, 94.900, 94.902, 105.452, 108.250, 137.115, 190.094, 190.308, 210.221, 231.444, 233.010, 233.155, 242.230, 242.500, 245.020, 245.105, 245.197, 246.305, 302.341, 305.410, 311.060, 320.302, 321.200, 349.045, 478.466, 488.435, 546.902, and 650.350, RSMo, and section 89.120, as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 89.120, as enacted by senate committee substitute for house bill no. 1352, eighty-ninth general assembly, second regular session, are repealed and fifty-one new sections enacted in lieu thereof, to be known as sections 48.030, 49.292, 57.278, 57.280, 64.170,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 67.175, 67.402, 67.1360, 71.012, 88.917, 89.080, 89.090, 89.120, 94.271, 94.834, 94.900,  
11 94.902, 94.1011, 105.452, 108.250, 137.115, 190.054, 190.056, 190.094, 190.308, 210.221,  
12 231.444, 233.010, 233.155, 233.177, 233.297, 233.317, 242.230, 242.500, 245.020, 245.105,  
13 245.197, 246.305, 302.341, 305.410, 311.060, 311.489, 320.302, 321.200, 349.045, 473.745,  
14 478.466, 488.435, 546.902, 644.020, and 650.350, to read as follows:

48.030. 1. Other than as otherwise provided for in this section, after September 28,  
2 1979, no county shall move from a lower class to a higher class or from a higher class to a lower  
3 class until the assessed valuation of the county is such as to place it in the other class for five  
4 successive years.

5 2. No second class county shall become a third class county until the assessed valuation  
6 of the county is such as to place it in the third class for at least five successive years [and until  
7 the assessed valuations for calendar year 1985 have been entered on the tax rolls of each county  
8 in accordance with subsections 6 and 7 of section 137.115, RSMo].

9 3. Notwithstanding the provisions of subsection 1 of this section, a county may become  
10 a first **or second** class county at any time after the assessed valuation of the county is such as  
11 to be a first **or second** class county and the governing body of the county elects to change  
12 classifications. The effective date of such change of classification shall be [in accordance with  
13 the provisions of this section] **at the beginning of the county fiscal year following the election**  
14 **by the governing body of the county.**

15 4. **Except as provided in subsection 3 of this section,** the change from one  
16 classification to another shall become effective at the beginning of the county fiscal year  
17 following the next general election after the certification by the state equalizing agency for the  
18 required number of successive years that the county possesses an assessed valuation placing it  
19 in another class. If a general election is held between the date of the certification and the end  
20 of the current fiscal year, the change of classification shall not become effective until the  
21 beginning of the county fiscal year following the next succeeding general election.

49.292. 1. Notwithstanding any other law to the contrary, the county commission of any  
2 county may reject the transfer of title of real property to the county by donation or dedication  
3 if the commission determines that such rejection is in the public interest of the county.

4 2. No transfer of title of real property to the county commission or any other political  
5 subdivision by donation or dedication authorized to be recorded in the office of the recorder of  
6 deeds shall be valid unless it has been proved or acknowledged. The preparer of the document  
7 relating to subsection 1 of this section shall not submit a document to the recorder of deeds for  
8 recording unless the acceptance thereof of the grantee named in the document has been proved  
9 or acknowledged. **No water or sewer line easement shall be construed as a transfer of title**  
10 **of real property under this subsection.**

**57.278. 1. There is hereby created in the state treasury the "Deputy Sheriff Salary Supplementation Fund", which shall consist of money collected from charges for service received by county sheriffs under subdivision (1) of subsection 4 of section 57.280. The money in the fund shall be used solely to supplement the salaries of county deputy sheriffs. The state treasurer shall be custodian of the fund and may approve disbursements to counties from the fund in accordance with sections 30.170 and 30.180, RSMo. The Missouri sheriff methamphetamine relief taskforce created under section 650.350, RSMo, shall administer the fund.**

**2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall

25 not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney.  
26 The party at whose application any writ, execution, subpoena or other process has issued from  
27 the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and  
28 support of any property to be seized pursuant to legal process before such seizure. The sheriff  
29 shall be allowed for each mile, going and returning from the courthouse of the county in which  
30 he resides to the place where the court is held, the rate prescribed by the Internal Revenue  
31 Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The  
32 provisions of this subsection shall not apply to garnishment proceeds.

33 3. The sheriff upon the receipt of the charge herein provided for shall pay into the  
34 treasury of the county any and all charges received pursuant to the provisions of this section;  
35 however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year,  
36 **except as otherwise provided in subdivision (2) of subsection 4 of this section and** other than  
37 as a result of regular budget allocations or land sale proceeds, coming into the possession of the  
38 sheriff's office, such as from the sale of recovered evidence, shall be held in a fund established  
39 by the county treasurer, which may be expended at the discretion of the sheriff for the  
40 furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars, **except**  
41 **as otherwise provided in subdivision (2) of subsection 4 of this section and** other than regular  
42 budget allocations or land sale proceeds, shall be placed to the credit of the general revenue fund  
43 of the county. Moneys in the fund shall be used only for the procurement of services and  
44 equipment to support the operation of the sheriff's office. Moneys in the fund established  
45 pursuant to this subsection shall not lapse to the county general revenue fund at the end of any  
46 county budget or fiscal year.

47 **4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the**  
48 **sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order**  
49 **of the court included under subsection 1 of this section, in addition to the charge for such**  
50 **service that each sheriff receives under subsection 1 of this section.**

51 **(1) Except as otherwise provided in subdivision (2) of this subsection, the money**  
52 **received by the sheriff under this subsection shall be paid into the county treasury and the**  
53 **county treasurer shall make such money payable to the state treasurer. The state treasurer**  
54 **shall deposit such moneys in the deputy sheriff salary supplementation fund created under**  
55 **section 57.278;**

56 **(2) In any county with a starting salary for deputy sheriffs of at least twenty-eight**  
57 **thousand dollars per year, one-half of the money received by the sheriff under this**  
58 **subsection shall be paid into the fund established in subsection 3 of this section, but shall**  
59 **not count toward the fifty thousand dollar limit.**

64.170. 1. For the purpose of promoting the public safety, health and general welfare,  
2 to protect life and property and to prevent the construction of fire hazardous buildings, the

3 county commission in all counties of the first and second classification, as provided by law, is  
4 for this purpose empowered, subject to the provisions of subsections 3 and 4 of this section, to  
5 adopt by order or ordinance regulations to control the construction, reconstruction, alteration or  
6 repair of any building or structure and any electrical wiring or electrical installation, plumbing  
7 or drain laying therein, and provide for the issuance of building permits and adopt regulations  
8 licensing persons, firms or corporations other than federal, state or local governments, public  
9 utilities and their contractors engaged in the business of electrical wiring or installations and  
10 provide for the inspection thereof and establish a schedule of permit, license and inspection fees  
11 and appoint a building commission to prepare the regulations, as herein provided.

12 2. [For the purpose of promoting the public safety, health and general welfare, to protect  
13 life and property, the county commission in a county of the first classification having a  
14 population of more than one hundred sixty thousand but less than two hundred thousand, as  
15 provided by law, is for this purpose empowered to adopt by order or ordinance regulations to  
16 control the construction, reconstruction, alteration or repair of any building or structure, and  
17 provide for the issuance of building permits and adopt regulations licensing contractors, firms  
18 or corporations other than federal, state or local governments, public utilities and their  
19 contractors engaged in the business of plumbing or drain laying and provide for the inspection  
20 thereof and establish a schedule of permit, license and inspection fee and appoint a building  
21 commission to prepare the regulations, as herein provided.

22 3.] Any county which has not adopted a building code prior to August 28, 2001,  
23 pursuant to sections 64.170 to 64.200, shall not have the authority to adopt a building code  
24 pursuant to such sections unless the authority is approved by voters, subject to the provisions  
25 of subsection [4] 3 of this section.

26

27 The ballot of submission for authority pursuant to this subsection shall be in substantially the  
28 following form:

29 "Shall ..... (insert name of county) have authority to create, adopt and impose  
30 a county building code?"

31

☐ YES

☐ NO

32 [4.] 3. The proposal of the authority to adopt a building code shall be voted on only by  
33 voters in the area affected by the proposed code, such that a code affecting a county shall not be  
34 voted upon by citizens of any incorporated territory.

**67.175. 1. The governing body of any county of the first classification with more  
2 than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants  
3 may impose, by order or ordinance, a sales tax on all retail sales made within the county  
4 which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section  
5 shall not exceed one-half of one percent, and shall be imposed solely for the purpose of**

6 funding the operation of public safety departments, including police and fire departments,  
7 and including communications of such public safety departments. The tax authorized in  
8 this section shall be in addition to all other sales taxes imposed by law, and shall be stated  
9 separately from all other charges and taxes.

10       2. No such order or ordinance adopted under this section shall become effective  
11 unless the governing body of the county submits to the voters residing within the county  
12 at a state general, primary, or special election a proposal to authorize the governing body  
13 of the county to impose a tax under this section. If a majority of the votes cast on the  
14 question by the qualified voters voting thereon are in favor of the question, then the tax  
15 shall become effective on the first day of the second calendar quarter after the director of  
16 revenue receives notification of adoption of the local sales tax. If a majority of the votes  
17 cast on the question by the qualified voters voting thereon are opposed to the question,  
18 then the tax shall not become effective unless and until the question is resubmitted under  
19 this section to the qualified voters and such question is approved by a majority of the  
20 qualified voters voting on the question.

21       3. All revenue collected under this section by the director of the department of  
22 revenue on behalf of any county, except for one percent for the cost of collection which  
23 shall be deposited in the state's general revenue fund, shall be deposited in a special trust  
24 fund, which is hereby created and shall be known as the "County Public Safety  
25 Departments Sales Tax Fund", and shall be used solely for the designated purposes.  
26 Moneys in the fund shall not be deemed to be state funds, and shall not be commingled  
27 with any funds of the state. The director may make refunds from the amounts in the trust  
28 fund and credited to the county for erroneous payments and overpayments made, and may  
29 redeem dishonored checks and drafts deposited to the credit of such county. Any funds  
30 in the special trust fund which are not needed for current expenditures shall be invested  
31 in the same manner as other funds are invested. Any interest and moneys earned on such  
32 investments shall be credited to the fund.

33       4. The governing body of any county that has adopted the sales tax authorized in  
34 this section may submit the question of repeal of the tax to the voters on any date available  
35 for elections for the county. If a majority of the votes cast on the question by the qualified  
36 voters voting thereon are in favor of the repeal, that repeal shall become effective on  
37 December thirty-first of the calendar year in which such repeal was approved. If a  
38 majority of the votes cast on the question by the qualified voters voting thereon are  
39 opposed to the repeal, then the sales tax authorized in this section shall remain effective  
40 until the question is resubmitted under this section to the qualified voters and the repeal  
41 is approved by a majority of the qualified voters voting on the question.

42           **5. Whenever the governing body of any county that has adopted the sales tax**  
43 **authorized in this section receives a petition, signed by a number of registered voters of the**  
44 **county equal to at least two percent of the number of registered voters of the county voting**  
45 **in the last gubernatorial election, calling for an election to repeal the sales tax imposed**  
46 **under this section, the governing body shall submit to the voters of the county a proposal**  
47 **to repeal the tax. If a majority of the votes cast on the question by the qualified voters**  
48 **voting thereon are in favor of the repeal, the repeal shall become effective on December**  
49 **thirty-first of the calendar year in which such repeal was approved. If a majority of the**  
50 **votes cast on the question by the qualified voters voting thereon are opposed to the repeal,**  
51 **then the sales tax authorized in this section shall remain effective until the question is**  
52 **resubmitted under this section to the qualified voters and the repeal is approved by a**  
53 **majority of the qualified voters voting on the question.**

54           **6. If the tax is repealed or terminated by any means, all funds remaining in the**  
55 **special trust fund shall continue to be used solely for the designated purposes, and the**  
56 **county shall notify the director of the department of revenue of the action at least ninety**  
57 **days before the effective date of the repeal and the director may order retention in the**  
58 **trust fund, for a period of one year, of two percent of the amount collected after receipt of**  
59 **such notice to cover possible refunds or overpayment of the tax and to redeem dishonored**  
60 **checks and drafts deposited to the credit of such accounts. After one year has elapsed after**  
61 **the effective date of abolition of the tax in such county, the director shall remit the balance**  
62 **in the account to the county and close the account of that county. The director shall notify**  
63 **each county of each instance of any amount refunded or any check redeemed from receipts**  
64 **due the county.**

67.402. 1. The governing body of the following counties may enact nuisance  
2 **abatement ordinances as provided in this section:**

3           **(1) Any county of the first classification with more than one hundred thirty-five**  
4 **thousand four hundred but [less] fewer than one hundred thirty-five thousand five hundred**  
5 **inhabitants[,] ;**

6           **(2) Any county of the first classification with more than seventy-one thousand three**  
7 **hundred but [less] fewer than seventy-one thousand four hundred inhabitants[, and] ;**

8           **(3) Any county of the first classification without a charter form of government and with**  
9 **more than one hundred ninety-eight thousand but [less] fewer than one hundred ninety-nine**  
10 **thousand two hundred inhabitants;**

11           **(4) Any county of the first classification with more than eighty-five thousand nine**  
12 **hundred but fewer than eighty-six thousand inhabitants;**

13           **(5) Any county of the third classification without a township form of government**  
14           **and with more than sixteen thousand four hundred but fewer than sixteen thousand five**  
15           **hundred inhabitants.**

16           **2. The governing body of any county described in subsection 1 of this section** may  
17 enact ordinances to provide for the abatement of a condition of any lot or land that has the  
18 presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict  
19 cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or  
20 overgrown or noxious weeds in residential subdivisions or districts which may endanger public  
21 safety or which is unhealthy or unsafe and declared to be a public nuisance.

22           **[2.] 3. Any ordinance enacted pursuant to this section shall:**

23           (1) Set forth those conditions which constitute a nuisance and which are detrimental to  
24 the health, safety, or welfare of the residents of the county;

25           (2) Provide for duties of inspectors with regard to those conditions which may be  
26 declared a nuisance, and shall provide for duties of the building commissioner or designated  
27 officer or officers to supervise all inspectors and to hold hearings regarding such property;

28           (3) Provide for service of adequate notice of the declaration of nuisance, which notice  
29 shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and  
30 may provide that such notice be served either by personal service or by certified mail, return  
31 receipt requested, but if service cannot be had by either of these modes of service, then service  
32 may be had by publication. The ordinances shall further provide that the owner, occupant,  
33 lessee, mortgagee, agent, and all other persons having an interest in the property as shown by  
34 the land records of the recorder of deeds of the county wherein the property is located shall be  
35 made parties;

36           (4) Provide that upon failure to commence work of abating the nuisance within the time  
37 specified or upon failure to proceed continuously with the work without unnecessary delay, the  
38 building commissioner or designated officer or officers shall call and have a full and adequate  
39 hearing upon the matter before the county commission, giving the affected parties at least ten  
40 days' written notice of the hearing. Any party may be represented by counsel, and all parties  
41 shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the  
42 property is a nuisance or detrimental to the health, safety, or welfare of the residents of the  
43 county, the county commission shall issue an order making specific findings of fact, based upon  
44 competent and substantial evidence, which shows the property to be a nuisance and detrimental  
45 to the health, safety, or welfare of the residents of the county and ordering the nuisance abated.  
46 If the evidence does not support a finding that the property is a nuisance or detrimental to the  
47 health, safety, or welfare of the residents of the county, no order shall be issued.

48           **[3.] 4. Any ordinance authorized by this section may provide that if the owner fails to**  
49           **begin abating the nuisance within a specific time which shall not be longer than seven days of**



50 receiving notice that the nuisance has been ordered removed, the building commissioner or  
51 designated officer shall cause the condition which constitutes the nuisance to be removed. If the  
52 building commissioner or designated officer causes such condition to be removed or abated, the  
53 cost of such removal shall be certified to the county clerk or officer in charge of finance who  
54 shall cause the certified cost to be included in a special tax bill or added to the annual real estate  
55 tax bill, at the county collector's option, for the property and the certified cost shall be collected  
56 by the county collector in the same manner and procedure for collecting real estate taxes. If the  
57 certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the  
58 delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill  
59 from the date of its issuance shall be deemed a personal debt against the owner and shall also  
60 be a lien on the property until paid.

67.1360. **1. The governing body of the following cities and counties may impose a  
2 tax as provided in this section:**

3 (1) A city with a population of more than seven thousand and less than seven thousand  
4 five hundred;

5 (2) A county with a population of over nine thousand six hundred and less than twelve  
6 thousand which has a total assessed valuation of at least sixty-three million dollars, if the county  
7 submits the issue to the voters of such county prior to January 1, 2003;

8 (3) A third class city which is the county seat of a county of the third classification  
9 without a township form of government with a population of at least twenty-five thousand but  
10 not more than thirty thousand inhabitants;

11 (4) Any fourth class city having, according to the last federal decennial census, a  
12 population of more than one thousand eight hundred fifty inhabitants but less than one thousand  
13 nine hundred fifty inhabitants in a county of the first classification with a charter form of  
14 government and having a population of greater than six hundred thousand but less than nine  
15 hundred thousand inhabitants;

16 (5) Any city having a population of more than three thousand but less than eight  
17 thousand inhabitants in a county of the fourth classification having a population of greater than  
18 forty-eight thousand inhabitants;

19 (6) Any city having a population of less than two hundred fifty inhabitants in a county  
20 of the fourth classification having a population of greater than forty-eight thousand inhabitants;

21 (7) Any fourth class city having a population of more than two thousand five hundred  
22 but less than three thousand inhabitants in a county of the third classification having a population  
23 of more than twenty-five thousand but less than twenty-seven thousand inhabitants;

24 (8) Any third class city with a population of more than three thousand two hundred but  
25 less than three thousand three hundred located in a county of the third classification having a  
26 population of more than thirty-five thousand but less than thirty-six thousand;

27           (9) Any county of the second classification without a township form of government and  
28 a population of less than thirty thousand;

29           (10) Any city of the fourth class in a county of the second classification without a  
30 township form of government and a population of less than thirty thousand;

31           (11) Any county of the third classification with a township form of government and a  
32 population of at least twenty-eight thousand but not more than thirty thousand;

33           (12) Any city of the fourth class with a population of more than one thousand eight  
34 hundred but less than two thousand in a county of the third classification with a township form  
35 of government and a population of at least twenty-eight thousand but not more than thirty  
36 thousand;

37           (13) Any city of the third class with a population of more than seven thousand two  
38 hundred but less than seven thousand five hundred within a county of the third classification  
39 with a population of more than twenty-one thousand but less than twenty-three thousand;

40           (14) Any fourth class city having a population of more than two thousand eight hundred  
41 but less than three thousand one hundred inhabitants in a county of the third classification with  
42 a township form of government having a population of more than eight thousand four hundred  
43 but less than nine thousand inhabitants;

44           (15) Any fourth class city with a population of more than four hundred seventy but less  
45 than five hundred twenty inhabitants located in a county of the third classification with a  
46 population of more than fifteen thousand nine hundred but less than sixteen thousand  
47 inhabitants;

48           (16) Any third class city with a population of more than three thousand eight hundred  
49 but less than four thousand inhabitants located in a county of the third classification with a  
50 population of more than fifteen thousand nine hundred but less than sixteen thousand  
51 inhabitants;

52           (17) Any fourth class city with a population of more than four thousand three hundred  
53 but less than four thousand five hundred inhabitants located in a county of the third classification  
54 without a township form of government with a population greater than sixteen thousand but less  
55 than sixteen thousand two hundred inhabitants;

56           (18) Any fourth class city with a population of more than two thousand four hundred but  
57 less than two thousand six hundred inhabitants located in a county of the first classification  
58 without a charter form of government with a population of more than fifty-five thousand but less  
59 than sixty thousand inhabitants;

60           (19) Any fourth class city with a population of more than two thousand five hundred but  
61 less than two thousand six hundred inhabitants located in a county of the third classification with  
62 a population of more than nineteen thousand one hundred but less than nineteen thousand two  
63 hundred inhabitants;

64 (20) Any county of the third classification without a township form of government with  
65 a population greater than sixteen thousand but less than sixteen thousand two hundred  
66 inhabitants;

67 (21) Any county of the second classification with a population of more than forty-four  
68 thousand but less than fifty thousand inhabitants;

69 (22) Any third class city with a population of more than nine thousand five hundred but  
70 less than nine thousand seven hundred inhabitants located in a county of the first classification  
71 without a charter form of government and with a population of more than one hundred  
72 ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

73 (23) Any city of the fourth classification with more than five thousand two hundred but  
74 less than five thousand three hundred inhabitants located in a county of the third classification  
75 without a township form of government and with more than twenty-four thousand five hundred  
76 but less than twenty-four thousand six hundred inhabitants;

77 (24) Any third class city with a population of more than nineteen thousand nine hundred  
78 but less than twenty thousand in a county of the first classification without a charter form of  
79 government and with a population of more than one hundred ninety-eight thousand but less than  
80 one hundred ninety-eight thousand two hundred inhabitants;

81 (25) Any city of the fourth classification with more than two thousand six hundred but  
82 less than two thousand seven hundred inhabitants located in any county of the third classification  
83 without a township form of government and with more than fifteen thousand three hundred but  
84 less than fifteen thousand four hundred inhabitants;

85 (26) Any county of the third classification without a township form of government and  
86 with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

87 (27) Any city of the fourth classification with more than five thousand four hundred but  
88 fewer than five thousand five hundred inhabitants and located in more than one county;

89 (28) Any city of the fourth classification with more than six thousand three hundred but  
90 fewer than six thousand five hundred inhabitants and located in more than one county through  
91 the creation of a tourism district which may include, in addition to the geographic area of such  
92 city, the area encompassed by the portion of the school district, located within a county of the  
93 first classification with more than ninety-three thousand eight hundred but fewer than  
94 ninety-three thousand nine hundred inhabitants, having an average daily attendance for school  
95 year 2005-06 between one thousand eight hundred and one thousand nine hundred;

96 (29) Any city of the fourth classification with more than seven thousand seven hundred  
97 but less than seven thousand eight hundred inhabitants located in a county of the first  
98 classification with more than ninety-three thousand eight hundred but less than ninety-three  
99 thousand nine hundred inhabitants;

100 (30) Any city of the fourth classification with more than two thousand nine hundred but  
101 less than three thousand inhabitants located in a county of the first classification with more than  
102 seventy-three thousand seven hundred but less than seventy-three thousand eight hundred  
103 inhabitants;

104 (31) Any city of the third classification with more than nine thousand three hundred but  
105 less than nine thousand four hundred inhabitants; [or]

106 (32) Any city of the fourth classification with more than three thousand eight hundred  
107 but fewer than three thousand nine hundred inhabitants and located in any county of the first  
108 classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine  
109 thousand eight hundred inhabitants;

110 **(33) Any city of the third classification with more than four thousand seven**  
111 **hundred but fewer than four thousand eight hundred inhabitants and located in any**  
112 **county of the third classification without a township form of government and with more**  
113 **than thirteen thousand four hundred but fewer than thirteen thousand five hundred**  
114 **inhabitants.**

115 **2. The governing body of any city or county listed in subsection 1 of this section**  
116 may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels,  
117 motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to  
118 recreational boats which are used by transients for sleeping, which shall be at least two percent,  
119 but not more than five percent per occupied room per night, except that such tax shall not  
120 become effective unless the governing body of the city or county submits to the voters of the city  
121 or county at a state general, primary or special election, a proposal to authorize the governing  
122 body of the city or county to impose a tax pursuant to the provisions of this section and section  
123 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any  
124 charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law  
125 and the proceeds of such tax shall be used by the city or county solely for funding the promotion  
126 of tourism. Such tax shall be stated separately from all other charges and taxes.

71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the  
2 governing body of any city, town or village may annex unincorporated areas which are  
3 contiguous and compact to the existing corporate limits of the city, town or village pursuant to  
4 this section. The term "contiguous and compact" does not include a situation whereby the  
5 unincorporated area proposed to be annexed is contiguous to the annexing city, town or village  
6 only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in  
7 width within the city, town or village so that the boundaries of the city, town or village after  
8 annexation would leave unincorporated areas between the annexed area and the prior boundaries  
9 of the city, town or village connected only by such railroad line, trail, pipeline or other such strip  
10 of real property. The term "contiguous and compact" does not prohibit voluntary annexations

11 pursuant to this section merely because such voluntary annexation would create an island of  
12 unincorporated area within the city, town or village, so long as the owners of the unincorporated  
13 island were also given the opportunity to voluntarily annex into the city, town or village.  
14 Notwithstanding the provisions of this section, the governing body of any city, town or village  
15 in any county of the third classification which borders a county of the fourth classification, a  
16 county of the second classification and Mississippi River may annex areas along a road or  
17 highway up to two miles from existing boundaries of the city, town or village or the governing  
18 body in any city, town or village in any county of the third classification without a township  
19 form of government with a population of at least twenty-four thousand inhabitants but not more  
20 than thirty thousand inhabitants and such county contains a state correctional center may  
21 voluntarily annex such correctional center pursuant to the provisions of this section if the  
22 correctional center is along a road or highway within two miles from the existing boundaries of  
23 the city, town or village.

24 2. (1) When a verified petition, requesting annexation and signed by the owners of all  
25 fee interests of record in all tracts of real property located within the area proposed to be  
26 annexed, or a request for annexation signed under the authority of the governing body of any  
27 common interest community and approved by a majority vote of unit owners located within the  
28 area proposed to be annexed is presented to the governing body of the city, town or village, the  
29 governing body shall hold a public hearing concerning the matter not less than fourteen nor more  
30 than sixty days after the petition is received, and the hearing shall be held not less than seven  
31 days after notice of the hearing is published in a newspaper of general circulation qualified to  
32 publish legal matters and located within the boundary of the petitioned city, town or village. If  
33 no such newspaper exists within the boundary of such city, town or village, then the notice shall  
34 be published in the qualified newspaper nearest the petitioned city, town or village. For the  
35 purposes of this subdivision, the term "common-interest community" shall mean a condominium  
36 as said term is used in chapter 448, RSMo, or a common-interest community, a cooperative, or  
37 a planned community.

38 (a) A "common-interest community" shall be defined as real property with respect to  
39 which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property  
40 taxes, insurance premiums, maintenance or improvement of other real property described in a  
41 declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years  
42 in a unit, including renewal options;

43 (b) A "cooperative" shall be defined as a common-interest community in which the real  
44 property is owned by an association, each of whose members is entitled by virtue of such  
45 member's ownership interest in the association to exclusive possession of a unit;

46 (c) A "planned community" shall be defined as a common-interest community that is not  
47 a condominium or a cooperative. A condominium or cooperative may be part of a planned  
48 community.

49 (2) At the public hearing any interested person, corporation or political subdivision may  
50 present evidence regarding the proposed annexation. If, after holding the hearing, the governing  
51 body of the city, town or village determines that the annexation is reasonable and necessary to  
52 the proper development of the city, town or village, and the city, town or village has the ability  
53 to furnish normal municipal services to the area to be annexed within a reasonable time, it may,  
54 subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance  
55 without further action.

56 (3) If a written objection to the proposed annexation is filed with the governing body of  
57 the city, town or village not later than fourteen days after the public hearing by at least five  
58 percent of the qualified voters of the city, town or village, or two qualified voters of the area  
59 sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015  
60 and 71.860 to 71.920, shall be followed.

61 3. If no objection is filed, the city, town or village shall extend its limits by ordinance  
62 to include such territory, specifying with accuracy the new boundary lines to which the city's,  
63 town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city,  
64 town or village shall cause three certified copies of the same to be filed with the county assessor  
65 and the clerk of the county wherein the city, town or village is located, and one certified copy  
66 to be filed with the election authority, if different from the clerk of the county which has  
67 jurisdiction over the area being annexed, whereupon the annexation shall be complete and final  
68 and thereafter all courts of this state shall take judicial notice of the limits of that city, town or  
69 village as so extended.

70 **4. Notwithstanding the provisions of this section to the contrary, no governing body**  
71 **of any city, town, or village shall annex state-owned land that is primarily used for**  
72 **recreation, resource conservation, or natural or cultural resource preservation if the sole**  
73 **purpose of such annexation is to render the city, town, or village able to annex land that**  
74 **is otherwise not contiguous and compact to the city, town, or village except via its**  
75 **proximity to the state-owned land. For purposes of this section, it shall be presumed that**  
76 **when a city, town, or village proposes to annex such state-owned land in addition to land**  
77 **that is contiguous to the state-owned land, the sole purpose of annexing the state property**  
78 **is to allow the annexation of the additional land, unless the governing body of the city,**  
79 **town, or village justifies otherwise.**

88.917. Every city now having or which may at any time hereafter have a population of  
2 three hundred thousand inhabitants or over shall have at all times the power to establish the  
3 grade and change the grade already established, of any street, alley, avenue, public highway or

4 public place, or any part thereof, as often as it may be deemed best for the public interest, and  
5 to cause the same or any part thereof to be graded to the established grade or to any change  
6 thereof[;] . Provided, however, that when a change is proposed to be made in the grade of any  
7 street, alley, avenue, public highway or public place, or any part thereof, which has once been  
8 established, the [two houses of legislation of such] city shall by [resolution] **ordinance** declare  
9 the work of improvement to be necessary, and cause such [resolution] **ordinance**, or the  
10 substance thereof, to be published in the newspaper doing the city printing, for ten days, Sundays  
11 included[; and] . Unless the resident owners of the city who shall own the majority in front feet  
12 of all the lands belonging to such residents fronting on the street, alley, avenue, public highway,  
13 public place, or part thereof to be improved, [shall,] within thirty days after the first day of the  
14 publication of such [resolution] **ordinance**, file with the city register their remonstrance against  
15 the proposed change, then the [two houses of legislation of such city shall have power by]  
16 ordinance to cause the proposed change to be made[;] **shall become effective**. Provided further,  
17 however, that when the charter of any such city shall require that such [resolution or] ordinance  
18 shall, before being passed, be recommended by a board of public improvements, or other  
19 authority of such city, then the same shall, before being passed, be recommended as therein  
20 required. If the remonstrance of the resident property owners above mentioned shall be filed  
21 with the city register, as herein provided, the [power of the two houses of legislation] **ordinance**  
22 to make the proposed change in the grade of such street, alley, avenue, public highway or public  
23 place, or any part thereof, shall [cease] **not become effective** until a sufficient number of the  
24 persons so remonstrating or their grantees shall, in writing, withdraw their names or the property  
25 represented by them from such remonstrance, so that said remonstrance shall cease to represent  
26 a majority of the resident owners as above provided[, when the two houses of legislation may  
27 again proceed in the manner above mentioned].

89.080. Such local legislative body shall provide for the appointment of a board of  
2 adjustment, and in the regulations and restrictions adopted pursuant to the authority of sections  
3 89.010 to 89.140 may provide that the board of adjustment may determine and vary their  
4 application in harmony with their general purpose and intent and in accordance with general or  
5 specific rules therein contained. The board of adjustment shall consist of five members, who  
6 shall be residents of the municipality **except as provided in section 305.410, RSMo**. The  
7 membership of the first board appointed shall serve respectively, one for one year, one for two  
8 years, one for three years, one for four years, and one for five years. Thereafter members shall  
9 be appointed for terms of five years each. Three alternate members may be appointed to serve  
10 in the absence of or the disqualification of the regular members. All members and alternates  
11 shall be removable for cause by the appointing authority upon written charges and after public  
12 hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes  
13 vacant. The board shall elect its own chairman who shall serve for one year. The board shall

14 adopt rules in accordance with the provisions of any ordinance adopted pursuant to sections  
15 89.010 to 89.140. Meetings of the board shall be held at the call of the chairman and at such  
16 other times as the board may determine. Such chairman, or in his absence the acting chairman,  
17 may administer oaths and compel the attendance of witnesses. All meetings of the board shall  
18 be open to the public. The board shall keep minutes of its proceedings, showing the vote of each  
19 member upon question, or, if absent or failing to vote, indicating such fact, and shall keep  
20 records of its examinations and other official actions, all of which shall be immediately filed in  
21 the office of the board and shall be a public record. All testimony, objections thereto and rulings  
22 thereon, shall be taken down by a reporter employed by the board for that purpose.

89.090. 1. The board of adjustment shall have the following powers:

2 (1) To hear and decide appeals where it is alleged there is error in any order, requirement,  
3 decision, or determination made by an administrative official in the enforcement of sections  
4 89.010 to 89.140 or of any ordinance adopted pursuant to such sections;

5 (2) To hear and decide all matters referred to it or upon which it is required to pass under  
6 such ordinance;

7 (3) In passing upon appeals, where there are practical difficulties or unnecessary  
8 hardship in the way of carrying out the strict letter of such ordinance, to vary or modify the  
9 application of any of the regulations or provisions of such ordinance relating to the construction  
10 or alteration of buildings or structures or the use of land so that the spirit of the ordinance shall  
11 be observed, public safety and welfare secured and substantial justice done, provided that, in any  
12 city with a population of three hundred fifty thousand or more inhabitants which is located in  
13 more than one county, the board of adjustment shall not have the power to vary or modify any  
14 ordinance relating to the use of land.

15 2. In exercising the above-mentioned powers such board may, in conformity with the  
16 provisions of sections 89.010 to 89.140, reverse or affirm wholly or partly, or may modify the  
17 order, requirement, decision or determination appealed from and may make such order,  
18 requirement, decision or determination as ought to be made and to that end shall have all the  
19 powers of the officer from whom the appeal is taken. The concurring vote of four members of  
20 the board shall be necessary to reverse any order, requirement, decision, or determination of any  
21 such administrative official, or to decide in favor of the applicant on any matter upon which it  
22 is required to pass under any such ordinance or to effect any variation in such ordinance **except**  
23 **as provided in section 305.410, RSMo.**

89.120. 1. In case any building or structure is erected, constructed, reconstructed,  
2 altered, converted, or maintained, or any building, structure, or land is used in violation of  
3 sections 89.010 to 89.140 or of any ordinance or other regulation made under authority conferred  
4 hereby, the proper local authorities of the municipality, in addition to other remedies, may  
5 institute any appropriate action or proceedings to prevent such unlawful erection, construction,



6 reconstruction, alteration, conversion, maintenance, or use, to restrain, correct, or abate such  
7 violation, to prevent the occupancy of such building, structure, or land, or to prevent any illegal  
8 act, conduct, business, or use in or about such premises. Such regulations shall be enforced by  
9 an officer empowered to cause any building, structure, place, or premises to be inspected and  
10 examined and to order in writing the remedying of any condition found to exist therein or thereat  
11 in violation of any provision of the regulations made under authority of sections 89.010 to  
12 89.140.

13 2. The owner or general agent of a building or premises where a violation of any  
14 provision of said regulations has been committed or shall exist, or the lessee or tenant of an  
15 entire building or entire premises where such violation has been committed or shall exist, or the  
16 owner, general agent, lessee, or tenant of any part of the building or premises in which such  
17 violation has been committed or shall exist, or the general agent, architect, builder, contractor,  
18 or any other person who commits, takes part or assists in any such violation, or who maintains  
19 any building or premises in which any such violation shall exist shall be guilty of a misdemeanor  
20 punishable as follows:

21 (1) In any [municipality contained wholly or partially within a county] **city** with [a  
22 population of over six hundred thousand and less than nine] **more than three** hundred thousand  
23 **inhabitants**, by a fine of not less than ten dollars and not more than five hundred dollars for each  
24 and every day that such violation continues, or by imprisonment for ten days for each and every  
25 day such violation shall continue, or by both such fine and imprisonment in the discretion of the  
26 court. Notwithstanding the provisions of section 82.300, RSMo, however, for the second and  
27 subsequent offenses involving the same violation at the same building or premises, the  
28 punishment shall be a fine of not less than two hundred and fifty dollars or more than one  
29 thousand dollars for each and every day that such violation shall continue, or by imprisonment  
30 for ten days for each and every day such violation shall continue, or by both such fine and  
31 imprisonment in the discretion of the court;

32 (2) In all other municipalities, by a fine of not less than ten dollars and not more than  
33 [one] **two** hundred **fifty** dollars for each and every day that such violation continues, [but if the  
34 offense be willful on conviction thereof, the punishment shall be a fine of not less than one  
35 hundred dollars or more than two hundred and fifty dollars for each and every day that such  
36 violation shall continue] or by imprisonment for ten days for each and every day such violation  
37 shall continue, or by both such fine and imprisonment in the discretion of the court.  
38 **Notwithstanding the provisions of section 82.300, RSMo, for the second and subsequent**  
39 **offenses involving the same violation at the same building or premises, the punishment**  
40 **shall be a fine of not less than one hundred dollars or more than five hundred dollars for**  
41 **each and every day that such violation shall continue, or by imprisonment for ten days for**

42 **each and every day such violation shall continue, or by both such fine and imprisonment**  
43 **in the discretion of the court.**

44 3. Any such person who, having been served with an order to remove any such violation,  
45 shall fail to comply with such order within ten days after such service or shall continue to violate  
46 any provision of the regulations made under authority of sections 89.010 to 89.140 in the respect  
47 named in such order shall also be subject to a civil penalty of two hundred and fifty dollars.

2 [89.120. 1. In case any building or structure is erected, constructed,  
3 reconstructed, altered, converted or maintained, or any building, structure or land  
4 is used in violation of sections 89.010 to 89.140 or of any ordinance or other  
5 regulation made under authority conferred hereby, the proper local authorities of  
6 the municipality, in addition to other remedies, may institute any appropriate  
7 action or proceedings to prevent such unlawful erection, construction,  
8 reconstruction, alteration, conversion, maintenance or use, to restrain, correct, or  
9 abate such violation, to prevent the occupancy of such building, structure, or  
10 land, or to prevent any illegal act, conduct, business, or use in or about such  
11 premises. Such regulations shall be enforced by an officer empowered to cause  
12 any building, structure, place or premises to be inspected and examined and to  
13 order in writing the remedying of any condition found to exist therein or thereat  
14 in violation of any provision of the regulations made pursuant to the authority of  
15 sections 89.010 to 89.140.

16 2. Except as provided in subsection 4 of this section, the owner or  
17 general agent of a building or premises where a violation of any provision of said  
18 regulations has been committed or shall exist, or the lessee or tenant of an entire  
19 building or entire premises where such violation has been committed or shall  
20 exist, or the owner, general agent, lessee or tenant of any part of the building or  
21 premises in which such violation has been committed or shall exist, or the  
22 general agent, architect, builder, contractor or any other person who commits,  
23 takes part or assists in any such violation or who maintains any building or  
24 premises in which any such violation shall exist shall be guilty of a misdemeanor  
25 punishable by a fine of not less than ten dollars and not more than two hundred  
26 fifty dollars for each and every day that such violation continues or by  
27 imprisonment for ten days for each and every day such violation shall continue  
28 or by both such fine and imprisonment in the discretion of the court.  
29 Notwithstanding the provisions of section 82.300, RSMo, however, for the  
30 second and subsequent offenses involving the same violation at the same  
31 building or premises, the punishment shall be a fine of not less than one hundred  
32 dollars or more than five hundred dollars for each and every day that such  
33 violation shall continue or by imprisonment for ten days for each and every day  
34 such violation shall continue or by both such fine and imprisonment in the  
35 discretion of the court.

36 3. Any such person who having been served with an order to remove any  
37 such violation shall fail to comply with such order within ten days after such  
service or shall continue to violate any provision of the regulations made under

authority of sections 89.010 to 89.140 in the respect named in such order shall also be subject to a civil penalty of two hundred and fifty dollars.

4. In a city with a population of more than three hundred fifty thousand, the owner or general agent of a building or premises where a violation of any provision of said regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist shall be guilty of a misdemeanor punishable by a fine of not less than ten dollars and not more than two hundred fifty dollars for each and every day that such violation continues, but if the offense be willful on conviction thereof, the punishment shall be a fine of not less than one hundred dollars or more than five hundred dollars for each and every day that such violation shall continue or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court.]

**94.271. 1. The governing body of any city of the fourth classification with more than twenty-four thousand eight hundred but fewer than twenty-five thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.**

**2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:**

**Shall ..... (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in ..... (name of city) at a rate of ..... (insert rate of percent) percent for the purpose of promoting tourism?**

☐ YES

☐ NO

21 **If a majority of the votes cast on the question by the qualified voters voting thereon are in**  
22 **favor of the question, then the tax shall become effective on the first day of the second**  
23 **calendar quarter following the calendar quarter in which the election was held. If a**  
24 **majority of the votes cast on the question by the qualified voters voting thereon are**  
25 **opposed to the question, then the tax authorized by this section shall not become effective**  
26 **unless and until the question is resubmitted under this section to the qualified voters of the**  
27 **city and such question is approved by a majority of the qualified voters of the city voting**  
28 **on the question.**

29 **3. As used in this section, "transient guests" means a person or persons who occupy**  
30 **a room or rooms in a hotel or motel for thirty-one days or less during any calendar**  
31 **quarter.**

94.834. 1. The governing body of the following cities may impose a tax on the  
2 **charges for all sleeping rooms paid by the transient guests of hotels or motels situated in**  
3 **the city or a portion thereof as provided in this section:**

4 **(1) Any city of the third classification with more than twelve thousand four hundred but**  
5 **less than twelve thousand five hundred inhabitants[, the governing body of] ;**

6 **(2) Any city of the fourth classification with more than two thousand three hundred but**  
7 **less than two thousand four hundred inhabitants and located in any county of the fourth**  
8 **classification with more than thirty-two thousand nine hundred but less than thirty-three**  
9 **thousand inhabitants[, and the governing body of] ;**

10 **(3) Any city of the fourth classification with more than one thousand six hundred but**  
11 **less than one thousand seven hundred inhabitants and located in any county of the fourth**  
12 **classification with more than twenty-three thousand seven hundred but less than twenty-three**  
13 **thousand eight hundred inhabitants [may impose a tax on the charges for all sleeping rooms paid**  
14 **by the transient guests of hotels or motels situated in the city or a portion thereof, which] ;**

15 **(4) Any city of the fourth classification with more than three thousand eight**  
16 **hundred but fewer than four thousand inhabitants and located in more than one county;**  
17 **provided, however, that motels owned by not-for-profit organizations are exempt.**

18 **2. Such tax** shall be not more than five percent per occupied room per night, except that  
19 such tax shall not become effective unless the governing body of the city submits to the voters  
20 of the city at a state general or primary election a proposal to authorize the governing body of  
21 the city to impose a tax pursuant to this section. The tax authorized in this section shall be in  
22 addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds  
23 of such tax shall be used by the city solely for the promotion of tourism. Such tax shall be stated  
24 separately from all other charges and taxes.

25 **[2.] 3.** The ballot of submission for the tax authorized in this section shall be in  
26 substantially the following form:

27        Shall ..... (insert the name of the city) impose a tax on the charges for  
28 all sleeping rooms paid by the transient guests of hotels and motels situated in  
29 ..... (name of city) at a rate of ..... (insert rate of percent) percent for the  
30 sole purpose of promoting tourism?

31                                ☐ YES                                ☐ NO]

32

33 If a majority of the votes cast on the question by the qualified voters voting thereon are in favor  
34 of the question, then the tax shall become effective on the first day of the second calendar  
35 quarter following the calendar quarter in which the election was held. If a majority of the votes  
36 cast on the question by the qualified voters voting thereon are opposed to the question, then the  
37 tax authorized by this section shall not become effective unless and until the question is  
38 resubmitted pursuant to this section to the qualified voters of the city and such question is  
39 approved by a majority of the qualified voters of the city voting on the question.

40        [3.] 4. As used in this section, "transient guests" means a person or persons who occupy  
41 a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

94.900. 1. The governing body of any city of the third classification with more than ten  
2 thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly  
3 within a county of the first classification with more than one hundred eighty-four thousand but  
4 less than one hundred eighty-eight thousand inhabitants, **or any city of the fourth classification**  
5 **with more than eight thousand nine hundred but fewer than nine thousand inhabitants,**  
6 is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half  
7 of one percent on all retail sales made in such city which are subject to taxation under the  
8 provisions of sections 144.010 to 144.525, RSMo, for the purpose of improving the public safety  
9 for such city, including but not limited to expenditures on equipment, city employee salaries and  
10 benefits, and facilities for police, fire and emergency medical providers. The tax authorized by  
11 this section shall be in addition to any and all other sales taxes allowed by law, except that no  
12 ordinance or order imposing a sales tax pursuant to the provisions of this section shall be  
13 effective unless the governing body of the city submits to the voters of the city, at a county or  
14 state general, primary or special election, a proposal to authorize the governing body of the city  
15 to impose a tax.

16        2. If the proposal submitted involves only authorization to impose the tax authorized by  
17 this section, the ballot of submission shall contain, but need not be limited to, the following  
18 language:

19        Shall the city of ..... (city's name) impose a citywide sales tax of ..... (insert  
20 amount) for the purpose of improving the public safety of the city?

21                                ☐ YES                                ☐ NO

22

23 If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed  
24 to the question, place an "X" in the box opposite "No".

25

26 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor  
27 of the proposal submitted pursuant to this subsection, then the ordinance or order and any  
28 amendments thereto shall be in effect on the first day of the second **calender** quarter  
29 [immediately following the election approving the proposal] **after the director of revenue**  
30 **receives notification of adoption of the local sales tax.** If a proposal receives less than the  
31 required majority, then the governing body of the city shall have no power to impose the sales  
32 tax herein authorized unless and until the governing body of the city shall again have submitted  
33 another proposal to authorize the governing body of the city to impose the sales tax authorized  
34 by this section and such proposal is approved by the required majority of the qualified voters  
35 voting thereon. However, in no event shall a proposal pursuant to this section be submitted to  
36 the voters sooner than twelve months from the date of the last proposal pursuant to this section.

37 3. All revenue received by a city from the tax authorized under the provisions of this  
38 section shall be deposited in a special trust fund and shall be used solely for improving the  
39 public safety for such city for so long as the tax shall remain in effect.

40 4. Once the tax authorized by this section is abolished or is terminated by any means,  
41 all funds remaining in the special trust fund shall be used solely for improving the public safety  
42 for the city. Any funds in such special trust fund which are not needed for current expenditures  
43 may be invested by the governing body in accordance with applicable laws relating to the  
44 investment of other city funds.

45 5. All sales taxes collected by the director of the department of revenue under this  
46 section on behalf of any city, less one percent for cost of collection which shall be deposited in  
47 the state's general revenue fund after payment of premiums for surety bonds as provided in  
48 section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created [in the  
49 state treasury], to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in  
50 the trust fund shall not be deemed to be state funds and shall not be commingled with any funds  
51 of the state. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money  
52 in this fund shall not be transferred and placed to the credit of the general revenue fund. The  
53 director of the department of revenue shall keep accurate records of the amount of money in the  
54 trust and which was collected in each city imposing a sales tax pursuant to this section, and the  
55 records shall be open to the inspection of officers of the city and the public. Not later than the  
56 tenth day of each month the director of the department of revenue shall distribute all moneys  
57 deposited in the trust fund during the preceding month to the city which levied the tax; such  
58 funds shall be deposited with the city treasurer of each such city, and all expenditures of funds  
59 arising from the trust fund shall be by an appropriation act to be enacted by the governing body

60 of each such city. Expenditures may be made from the fund for any functions authorized in the  
61 ordinance or order adopted by the governing body submitting the tax to the voters.

62 6. The director of the department of revenue may [authorize the state treasurer to] make  
63 refunds from the amounts in the trust fund and credited to any city for erroneous payments and  
64 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of  
65 such cities. If any city abolishes the tax, the city shall notify the director of the department of  
66 revenue of the action at least ninety days prior to the effective date of the repeal and the director  
67 of the department of revenue may order retention in the trust fund, for a period of one year, of  
68 two percent of the amount collected after receipt of such notice to cover possible refunds or  
69 overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of  
70 such accounts. After one year has elapsed after the effective date of abolition of the tax in such  
71 city, the director of the department of revenue shall remit the balance in the account to the city  
72 and close the account of that city. The director of the department of revenue shall notify each  
73 city of each instance of any amount refunded or any check redeemed from receipts due the city.

74 7. Except as modified in this section, all provisions of sections 32.085 and 32.087,  
75 RSMo, shall apply to the tax imposed pursuant to this section.

94.902. 1. The governing body of any city of the third classification with more than  
2 twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants,  
3 **or any city of the fourth classification with more than thirty thousand three hundred but**  
4 **fewer than thirty thousand seven hundred inhabitants,** may impose, by order or ordinance,  
5 a sales tax on all retail sales made in the city which are subject to taxation under chapter 144,  
6 RSMo. The tax authorized in this section may be imposed in an amount of up to one-half of one  
7 percent, and shall be imposed solely for the purpose of improving the public safety for such city,  
8 including but not limited to expenditures on equipment, city employee salaries and benefits, and  
9 facilities for police, fire and emergency medical providers. The tax authorized in this section  
10 shall be in addition to all other sales taxes imposed by law, and shall be stated separately from  
11 all other charges and taxes. The order or ordinance imposing a sales tax under this section shall  
12 not become effective unless the governing body of the city submits to the voters residing within  
13 the city, at a county or state general, primary, or special election, a proposal to authorize the  
14 governing body of the city to impose a tax under this section.

15 2. The ballot of submission for the tax authorized in this section shall be in substantially  
16 the following form:

17 Shall the city of ..... (city's name) impose a citywide sales tax at a rate of ..... (insert rate  
18 of percent) percent for the purpose of improving the public safety of the city?

19 ☐ YES

☐ NO

20

21 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed  
22 to the question, place an "X" in the box opposite "NO".

23

24 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor  
25 of the proposal, then the ordinance or order and any amendments to the order or ordinance shall  
26 become effective on the first day of the second calendar quarter after the director of revenue  
27 receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal  
28 by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become  
29 effective unless the proposal is resubmitted under this section to the qualified voters and such  
30 proposal is approved by a majority of the qualified voters voting on the proposal. However, in  
31 no event shall a proposal under this section be submitted to the voters sooner than twelve months  
32 from the date of the last proposal under this section.

33 3. Any sales tax imposed under this section shall be administered, collected, enforced,  
34 and operated as required in section 32.087, RSMo. All sales taxes collected by the director of  
35 the department of revenue under this section on behalf of any city, less one percent for cost of  
36 collection which shall be deposited in the state's general revenue fund after payment of  
37 premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special  
38 trust fund, which is hereby created in the state treasury, to be known as the "City Public Safety  
39 Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and  
40 shall not be commingled with any funds of the state. The provisions of section 33.080, RSMo,  
41 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the  
42 credit of the general revenue fund. The director shall keep accurate records of the amount of  
43 money in the trust **fund** and which was collected in each city imposing a sales tax under this  
44 section, and the records shall be open to the inspection of officers of the city and the public. Not  
45 later than the tenth day of each month the director shall distribute all moneys deposited in the  
46 trust fund during the preceding month to the city which levied the tax. Such funds shall be  
47 deposited with the city treasurer of each such city, and all expenditures of funds arising from the  
48 trust fund shall be by an appropriation act to be enacted by the governing body of each such city.  
49 Expenditures may be made from the fund for any functions authorized in the ordinance or order  
50 adopted by the governing body submitting the tax to the voters. If the tax is repealed, all funds  
51 remaining in the special trust fund shall continue to be used solely for the designated purposes.  
52 Any funds in the special trust fund which are not needed for current expenditures shall be  
53 invested in the same manner as other funds are invested. Any interest and moneys earned on  
54 such investments shall be credited to the fund.

55 4. The director of the department of revenue may authorize the state treasurer to make  
56 refunds from the amounts in the trust fund and credited to any city for erroneous payments and  
57 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of



58 such cities. If any city abolishes the tax, the city shall notify the director of the action at least  
59 ninety days before the effective date of the repeal, and the director may order retention in the  
60 trust fund, for a period of one year, of two percent of the amount collected after receipt of such  
61 notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and  
62 drafts deposited to the credit of such accounts. After one year has elapsed after the effective date  
63 of abolition of the tax in such city, the director shall remit the balance in the account to the city  
64 and close the account of that city. The director shall notify each city of each instance of any  
65 amount refunded or any check redeemed from receipts due the city.

66 5. The governing body of any city that has adopted the sales tax authorized in this  
67 section may submit the question of repeal of the tax to the voters on any date available for  
68 elections for the city. The ballot of submission shall be in substantially the following form:

69 Shall ..... (insert the name of the city) repeal the sales tax imposed at a rate of ..... (insert  
70 rate of percent) percent for the purpose of improving the public safety of the city?

71 ☐ YES

☐ NO

72

73 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become  
74 effective on December thirty-first of the calendar year in which such repeal was approved. If  
75 a majority of the votes cast on the question by the qualified voters voting thereon are opposed  
76 to the repeal, then the sales tax authorized in this section shall remain effective until the question  
77 is resubmitted under this section to the qualified voters, and the repeal is approved by a majority  
78 of the qualified voters voting on the question.

79 6. Whenever the governing body of any city that has adopted the sales tax authorized  
80 in this section receives a petition, signed by ten percent of the registered voters of the city voting  
81 in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this  
82 section, the governing body shall submit to the voters of the city a proposal to repeal the tax.  
83 If a majority of the votes cast on the question by the qualified voters voting thereon are in favor  
84 of the repeal, that repeal shall become effective on December thirty-first of the calendar year in  
85 which such repeal was approved. If a majority of the votes cast on the question by the qualified  
86 voters voting thereon are opposed to the repeal, then the tax shall remain effective until the  
87 question is resubmitted under this section to the qualified voters and the repeal is approved by  
88 a majority of the qualified voters voting on the question.

89 7. Except as modified in this section, all provisions of sections 32.085 and 32.087,  
90 RSMo, shall apply to the tax imposed under this section.

**94.1011. 1. The governing body of any city of the third classification with more  
2 than three thousand five hundred but fewer than three thousand six hundred inhabitants  
3 may impose, by order or ordinance, a tax on the charges for all sleeping rooms paid by the  
4 transient guests of hotels or motels situated in the city or a portion thereof. The tax shall**

5 be not more than three percent per occupied room per night, and shall be imposed solely  
6 for the purpose of funding the construction, maintenance, and repair of a multipurpose  
7 conference and convention center. The tax authorized in this section shall be in addition  
8 to the charge for the sleeping room and all other taxes imposed by law, and shall be stated  
9 separately from all other charges and taxes.

10       2. No such order or ordinance shall become effective unless the governing body of  
11 the city submits to the voters of the city at a state general, primary, or special election a  
12 proposal to authorize the governing body of the city to impose a tax under this section. If  
13 a majority of the votes cast on the question by the qualified voters voting thereon are in  
14 favor of the question, then the tax shall become effective on the first day of the second  
15 calendar quarter following the calendar quarter in which the election was held. If a  
16 majority of the votes cast on the question by the qualified voters voting thereon are  
17 opposed to the question, then the tax shall not become effective unless and until the  
18 question is resubmitted under this section to the qualified voters of the city and such  
19 question is approved by a majority of the qualified voters voting on the question.

20       3. All revenue generated by the tax shall be collected by the city collector of  
21 revenue, shall be deposited in a special trust fund, and shall be used solely for the  
22 designated purposes. If the tax is repealed, all funds remaining in the special trust fund  
23 shall continue to be used solely for the designated purposes. Any funds in the special trust  
24 fund that are not needed for current expenditures may be invested by the governing body  
25 in accordance with applicable laws relating to the investment of other city funds. Any  
26 interest and moneys earned on such investments shall be credited to the fund.

27       4. The governing body of any city that has adopted the tax authorized in this  
28 section may submit the question of repeal of the tax to the voters on any date available for  
29 elections for the city. If a majority of the votes cast on the proposal are in favor of the  
30 repeal, that repeal shall become effective on December thirty-first of the calendar year in  
31 which such repeal was approved. If a majority of the votes cast on the question by the  
32 qualified voters voting thereon are opposed to the repeal, then the tax authorized in this  
33 section shall remain effective until the question is resubmitted under this section to the  
34 qualified voters of the city, and the repeal is approved by a majority of the qualified voters  
35 voting on the question.

36       5. Whenever the governing body of any city that has adopted the tax authorized in  
37 this section receives a petition, signed by a number of registered voters of the city equal to  
38 at least two percent of the number of registered voters of the city voting in the last  
39 gubernatorial election, calling for an election to repeal the tax imposed under this section,  
40 the governing body shall submit to the voters of the city a proposal to repeal the tax. If a  
41 majority of the votes cast on the question by the qualified voters voting thereon are in

42 **favor of the repeal, that repeal shall become effective on December thirty-first of the**  
43 **calendar year in which such repeal was approved. If a majority of the votes cast on the**  
44 **question by the qualified voters voting thereon are opposed to the repeal, then the tax shall**  
45 **remain effective until the question is resubmitted under this section to the qualified voters**  
46 **of the city and the repeal is approved by a majority of the qualified voters voting on the**  
47 **question.**

48 **6. As used in this section, "transient guests" means a person or persons who occupy**  
49 **a room or rooms in a hotel or motel for thirty-one days or less during any calendar**  
50 **quarter.**

105.452. 1. No elected or appointed official or employee of the state or any political  
2 subdivision thereof shall:

3 (1) Act or refrain from acting in any capacity in which he is lawfully empowered to act  
4 as such an official or employee by reason of any payment, offer to pay, promise to pay, or  
5 receipt of anything of actual pecuniary value paid or payable, or received or receivable, to  
6 himself or any third person, including any gift or campaign contribution, made or received in  
7 relationship to or as a condition of the performance of an official act, other than compensation  
8 to be paid by the state or political subdivision; or

9 (2) Use confidential information obtained in the course of or by reason of his  
10 employment or official capacity in any manner with intent to result in financial gain for himself,  
11 his spouse, his dependent child in his custody, or any business with which he is associated;

12 (3) Disclose confidential information obtained in the course of or by reason of his  
13 employment or official capacity in any manner with intent to result in financial gain for himself  
14 or any other person;

15 (4) Favorably act on any matter that is so specifically designed so as to provide a special  
16 monetary benefit to such official or his spouse or dependent children, including but not limited  
17 to increases in retirement benefits, whether received from the state of Missouri or any third party  
18 by reason of such act. For the purposes of this subdivision, "special monetary benefit" means  
19 being materially affected in a substantially different manner or degree than the manner or degree  
20 in which the public in general will be affected or, if the matter affects only a special class of  
21 persons, then affected in a substantially different manner or degree than the manner or degree  
22 in which such class will be affected. In all such matters such officials must recuse themselves  
23 from acting [and shall not be relieved by reason of the provisions of section 105.460], except  
24 that such official may act on increases in compensation subject to the restrictions of section 13  
25 of article VII of the Missouri Constitution; or

26 (5) Use his decision-making authority for the purpose of obtaining a financial gain  
27 which materially enriches himself, his spouse or dependent children by acting or refraining from

28 acting for the purpose of coercing or extorting from another anything of actual pecuniary value.  
29

30 **2. No elected or appointed official or employee of any political subdivision shall**  
31 **offer, promote, or advocate for a political appointment in exchange for anything of value**  
32 **to any political subdivision.**

108.250. The state auditor shall be paid for registering bonds the sum of ten cents for  
2 each one hundred dollars of the face value of the bonds registered; provided, that the fee for  
3 registering any issue of bonds shall in no case be less than twenty-five cents **and in no case be**  
4 **greater than one thousand five hundred dollars.** The amount of any fee [so] collected **under**  
5 **this section** shall be promptly transmitted to the state director of revenue.

137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's  
2 deputies in all counties of this state including the city of St. Louis shall annually make a list of  
3 all real and tangible personal property taxable in the assessor's city, county, town or district.  
4 Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor  
5 shall annually assess all personal property at thirty-three and one-third percent of its true value  
6 in money as of January first of each calendar year. The assessor shall annually assess all real  
7 property, including any new construction and improvements to real property, and possessory  
8 interests in real property at the percent of its true value in money set in subsection 5 of this  
9 section. The assessor shall annually assess all real property in the following manner: new  
10 assessed values shall be determined as of January first of each odd-numbered year and shall be  
11 entered in the assessor's books; those same assessed values shall apply in the following  
12 even-numbered year, except for new construction and property improvements which shall be  
13 valued as though they had been completed as of January first of the preceding odd-numbered  
14 year. The assessor may call at the office, place of doing business, or residence of each person  
15 required by this chapter to list property, and require the person to make a correct statement of  
16 all taxable tangible personal property owned by the person or under his or her care, charge or  
17 management, taxable in the county. On or before January first of each even-numbered year, the  
18 assessor shall prepare and submit a two-year assessment maintenance plan to the county  
19 governing body and the state tax commission for their respective approval or modification. The  
20 county governing body shall approve and forward such plan or its alternative to the plan to the  
21 state tax commission by February first. If the county governing body fails to forward the plan  
22 or its alternative to the plan to the state tax commission by February first, the assessor's plan  
23 shall be considered approved by the county governing body. If the state tax commission fails  
24 to approve a plan and if the state tax commission and the assessor and the governing body of the  
25 county involved are unable to resolve the differences, in order to receive state cost-share funds  
26 outlined in section 137.750, the county or the assessor shall petition the administrative hearing  
27 commission, by May first, to decide all matters in dispute regarding the assessment maintenance

28 plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with  
29 mediation or arbitration upon terms agreed to by the parties. The final decision of the  
30 administrative hearing commission shall be subject to judicial review in the circuit court of the  
31 county involved. In the event a valuation of subclass (1) real property within any county with  
32 a charter form of government, or within a city not within a county, is made by a computer,  
33 computer-assisted method or a computer program, the burden of proof, supported by clear,  
34 convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing  
35 or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption  
36 that the assessment was made by a computer, computer-assisted method or a computer program.  
37 Such evidence shall include, but shall not be limited to, the following:

38 (1) The findings of the assessor based on an appraisal of the property by generally  
39 accepted appraisal techniques; and

40 (2) The purchase prices from sales of at least three comparable properties and the  
41 address or location thereof. As used in this [paragraph] **subdivision**, the word "comparable"  
42 means that:

43 (a) Such sale was closed at a date relevant to the property valuation; and

44 (b) Such properties are not more than one mile from the site of the disputed property,  
45 except where no similar properties exist within one mile of the disputed property, the nearest  
46 comparable property shall be used. Such property shall be within five hundred square feet in  
47 size of the disputed property, and resemble the disputed property in age, floor plan, number of  
48 rooms, and other relevant characteristics.

49 2. Assessors in each county of this state and the city of St. Louis may send personal  
50 property assessment forms through the mail.

51 3. The following items of personal property shall each constitute separate subclasses of  
52 tangible personal property and shall be assessed and valued for the purposes of taxation at the  
53 following percentages of their true value in money:

54 (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one  
55 percent;

56 (2) Livestock, twelve percent;

57 (3) Farm machinery, twelve percent;

58 (4) Motor vehicles which are eligible for registration as and are registered as historic  
59 motor vehicles pursuant to section 301.131, RSMo, and aircraft which are at least twenty-five  
60 years old and which are used solely for noncommercial purposes and are operated less than fifty  
61 hours per year or aircraft that are home built from a kit, five percent;

62 (5) Poultry, twelve percent; [and]

63 (6) Tools and equipment used for pollution control and tools and equipment used in  
64 retooling for the purpose of introducing new product lines or used for making improvements to

65 existing products by any company which is located in a state enterprise zone and which is  
66 identified by any standard industrial classification number cited in subdivision (6) of section  
67 135.200, RSMo, twenty-five percent;

68 **(7) Vehicles that are modified to transport persons who are physically disabled as**  
69 **defined in section 301.142, RSMo, if such vehicle is medically necessary to transport the**  
70 **owner's physically disabled family member or the owner of the vehicle if such owner is**  
71 **physically disabled, twelve percent.**

72 4. The person listing the property shall enter a true and correct statement of the property,  
73 in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed  
74 and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered  
75 to the assessor.

76 5. All subclasses of real property, as such subclasses are established in section 4(b) of  
77 article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the  
78 following percentages of true value:

79 (1) For real property in subclass (1), nineteen percent;

80 (2) For real property in subclass (2), twelve percent; and

81 (3) For real property in subclass (3), thirty-two percent.

82 6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used  
83 as dwelling units shall be assessed at the same percentage of true value as residential real  
84 property for the purpose of taxation. The percentage of assessment of true value for such  
85 manufactured homes shall be the same as for residential real property. If the county collector  
86 cannot identify or find the manufactured home when attempting to attach the manufactured  
87 home for payment of taxes owed by the manufactured home owner, the county collector may  
88 request the county commission to have the manufactured home removed from the tax books, and  
89 such request shall be granted within thirty days after the request is made; however, the removal  
90 from the tax books does not remove the tax lien on the manufactured home if it is later identified  
91 or found. A manufactured home located in a manufactured home rental park, rental community  
92 or on real estate not owned by the manufactured home owner shall be considered personal  
93 property. A manufactured home located on real estate owned by the manufactured home owner  
94 may be considered real property.

95 7. Each manufactured home assessed shall be considered a parcel for the purpose of  
96 reimbursement pursuant to section 137.750, unless the manufactured home has been converted  
97 to real property in compliance with section 700.111, RSMo, and assessed as a realty  
98 improvement to the existing real estate parcel.

99 8. Any amount of tax due and owing based on the assessment of a manufactured home  
100 shall be included on the personal property tax statement of the manufactured home owner unless  
101 the manufactured home has been converted to real property in compliance with section 700.111,

RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a "drive-by inspection" or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

**190.054. Notwithstanding any other provision of law to the contrary, the current term of the director representing subdistrict six of any ambulance district located within any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants shall be extended for one additional year. At the expiration of such extended term, any such ambulance district shall cause an election to be held for the director of subdistrict six position during the next**



7 general election in accordance with the other procedures established under this chapter.  
8 Thereafter, the term of the director of subdistrict six of such ambulance district shall be  
9 three years.

190.056. 1. Each member of an ambulance district board of directors shall be  
2 subject to recall from office by the registered voters of the election district from which he  
3 or she was elected. Proceedings may be commenced for the recall of any such member by  
4 the filing of a notice of intention to circulate a recall petition under this section.

5 2. Proceedings shall not be commenced against any member if, at the time of  
6 commencement, such member:

- 7 (1) Has not held office during his or her current term for a period of more than one  
8 hundred eighty days; or  
9 (2) Has one hundred eighty days or less remaining in his or her term; or  
10 (3) Has had a recall election determined in his or her favor within the current term  
11 of office.

12 3. The notice of intention to circulate a recall petition shall be served personally,  
13 or by certified mail, on the board member sought to be recalled. A copy thereof shall be  
14 filed, along with an affidavit of the time and manner of service, with the election authority,  
15 as defined in chapter 115, RSMo. A separate notice shall be filed for each board member  
16 sought to be recalled and shall contain all of the following:

- 17 (1) The name of the board member sought to be recalled;  
18 (2) A statement, not exceeding two hundred words in length, of the reasons for the  
19 proposed recall; and  
20 (3) The names and business or residential addresses of at least one but not more  
21 than five proponents of the recall.

22 4. Within seven days after the filing of the notice of intention, the board member  
23 may file with the election authority a statement, not exceeding two hundred words in  
24 length, in answer to the statement of the proponents. If an answer is filed, the board  
25 member shall also serve a copy of it, personally or by certified mail, on one of the  
26 proponents named in the notice of intention. The statement and answer are intended solely  
27 to be used for the information of the voters. No insufficiency in form or substance of such  
28 statements shall affect the validity of the election proceedings.

29 5. Before any signature may be affixed to a recall petition, the petition is required  
30 to bear all of the following:

- 31 (1) A request that an election be called to elect a successor to the board member;  
32 (2) A copy of the notice of intention, including the statement of grounds for recall;  
33 (3) The answer of the board member sought to be recalled, if any exists. If the  
34 board member has not answered, the petition shall so state; and

35           (4) A place for each signer to affix his or her signature, printed name and  
36 residential address, including any address in a city, town, village, or unincorporated  
37 community.

38           6. Each section of the petition, when submitted to the election authority, shall have  
39 attached to it an affidavit signed by the person circulating such section, setting forth all of  
40 the following:

41           (1) The printed name of the affiant;

42           (2) The residential address of the affiant;

43           (3) That the affiant circulated that section and saw the appended signatures be  
44 written;

45           (4) That according to the best information and belief of the affiant, each signature  
46 is the genuine signature of the person whose name it purports to be;

47           (5) That the affiant is a registered voter of the election district of the board member  
48 sought to be recalled; and

49           (6) The dates between which all the signatures to the petition were obtained.

50           7. A recall petition shall be filed with the election authority not more than one  
51 hundred eighty days after the filing of the notice of intention.

52           8. The number of qualified signatures required in order to recall a board member  
53 shall be equal in number to at least twenty-five percent of the number of voters who voted  
54 in the most recent gubernatorial election in such election district.

55           9. Within twenty days from the filing of the recall petition the election authority  
56 shall determine whether or not the petition was signed by the required number of qualified  
57 signatures. The election authority shall file with the petition a certificate showing the  
58 results of the examination. The election authority shall give the proponents a copy of the  
59 certificate upon their request.

60           10. If the election authority certifies the petition to be insufficient, it may be  
61 supplemented within ten days of the date of certification by filing additional petition  
62 sections containing all of the information required by this section. Within ten days after  
63 the supplemental copies are filed, the election authority shall file with them a certificate  
64 stating whether or not the petition as supplemented is sufficient.

65           11. If the certificate shows that the petition as supplemented is insufficient, no  
66 action shall be taken on it; however, the petition shall remain on file.

67           12. If the election authority finds the signatures on the petition, together with the  
68 supplementary petition sections, if any, to be sufficient, it shall submit its certificate as to  
69 the sufficiency of the petition to the ambulance district board of directors prior to its next  
70 meeting. The certificate shall contain:

71           (1) The name of the member whose recall is sought;

- 72           **(2) The number of signatures required by law;**  
73           **(3) The total number of signatures on the petition; and**  
74           **(4) The number of valid signatures on the petition.**

75           **13. Following the ambulance district board's receipt of the certificate, the election**  
76 **authority shall order an election to be held on one of the election days specified in section**  
77 **115.123, RSMo. The election shall be held not less than forty-five days but not more than**  
78 **one hundred twenty days from the date the ambulance district board receives the petition.**  
79 **Nominations for board membership openings under this section shall be made by filing a**  
80 **statement of candidacy with the election authority.**

81           **14. At any time prior to forty-two days before the election, the member sought to**  
82 **be recalled may offer his or her resignation. If his or her resignation is offered, the recall**  
83 **question shall be removed from the ballot and the office declared vacant. The member**  
84 **who resigned shall not fill the vacancy, which shall be filled as otherwise provided by law.**

85           **15. The provisions of chapter 115, RSMo, governing the conduct of elections shall**  
86 **apply, where appropriate, to recall elections held under this section. The costs of the**  
87 **election shall be paid as provided in chapter 115, RSMo.**

          190.094. [In any county of the second classification containing part of a city which is  
2 located in four counties and any county bordering said county on the east and south and in any  
3 county of the third classification with a population of at least eight thousand four hundred but  
4 less than eight thousand five hundred inhabitants containing part of a lake of nine hundred  
5 fifty-eight miles of shoreline but less than one thousand miles of shoreline each ambulance,] **1.**  
6 **Any ambulance licensed in this state, when [in use] used as an ambulance and staffed with**  
7 **volunteer staff, shall be staffed with a minimum of one emergency medical technician and one**  
8 **other crew member [as set forth in rules adopted by the department] who may be a licensed**  
9 **emergency medical technician, registered nurse, physician, or someone who has a first**  
10 **responder certification.**

11           **2. When transporting a patient, at least one licensed emergency medical technician,**  
12 **registered nurse, or physician shall be in attendance with the patient in the patient compartment**  
13 **at all times.**

14           **3. For purposes of this section, "volunteer" shall mean an individual who performs**  
15 **hours of service without promise, expectation or receipt of compensation for services**  
16 **rendered. Compensation such as a nominal stipend per call to compensate for fuel,**  
17 **uniforms, and training shall not nullify the volunteer status.**

          190.308. 1. In any county that has established an emergency telephone service pursuant  
2 to sections 190.300 to 190.320, it shall be unlawful for any person to misuse the emergency  
3 telephone service. For the purposes of this section, "emergency" means any incident involving  
4 danger to life or property that calls for an emergency response dispatch of police, fire, EMS or

5 other public safety organization, "misuse the emergency telephone service", includes, but is not  
6 limited to, repeatedly calling the "911" for nonemergency situations causing operators or  
7 equipment to be in use when emergency situations may need such operators or equipment and  
8 "repeatedly" means three or more times within a one-month period.

9 2. Any violation of this section is a class B misdemeanor.

10 **3. No political subdivision shall impose any fine or penalty for calls to an**  
11 **emergency telephone service made from a pay telephone on the owner of the pay telephone**  
12 **or on the owner of any property upon which the pay telephone is located. Any such fine**  
13 **or penalty is hereby void.**

210.221. 1. The department of health and senior services shall have the following  
2 powers and duties:

3 (1) After inspection, to grant licenses to persons to operate child-care facilities if  
4 satisfied as to the good character and intent of the applicant and that such applicant is qualified  
5 and equipped to render care or service conducive to the welfare of children, and to renew the  
6 same when expired. No license shall be granted for a term exceeding two years. Each license  
7 shall specify the kind of child-care services the licensee is authorized to perform, the number of  
8 children that can be received or maintained, and their ages and sex;

9 (2) To inspect the conditions of the homes and other places in which the applicant  
10 operates a child-care facility, inspect their books and records, premises and children being  
11 served, examine their officers and agents, deny, suspend, place on probation or revoke the  
12 license of such persons as fail to obey the provisions of sections 210.201 to 210.245 or the rules  
13 and regulations made by the department of health and senior services. The director also may  
14 revoke or suspend a license when the licensee fails to renew or surrenders the license;

15 (3) To promulgate and issue rules and regulations the department deems necessary or  
16 proper in order to establish standards of service and care to be rendered by such licensees to  
17 children. No rule or regulation promulgated by the division shall in any manner restrict or  
18 interfere with any religious instruction, philosophies or ministries provided by the facility and  
19 shall not apply to facilities operated by religious organizations which are not required to be  
20 licensed; [and]

21 (4) To determine what records shall be kept by such persons and the form thereof, and  
22 the methods to be used in keeping such records, and to require reports to be made to the  
23 department at regular intervals; **and**

24 **(5) To deny, suspend, place on probation, or revoke a license for any child care**  
25 **facility that does not obtain and maintain a local license or permit for the operation of a**  
26 **child care facility, if required by local law.**

27 2. Any child-care facility may request a variance from a rule or regulation promulgated  
28 pursuant to this section. The request for a variance shall be made in writing to the department

29 of health and senior services and shall include the reasons the facility is requesting the variance.  
30 The department shall approve any variance request that does not endanger the health or safety  
31 of the children served by the facility. The burden of proof at any appeal of a disapproval of a  
32 variance application shall be with the department of health and senior services. Local inspectors  
33 may grant a variance, subject to approval by the department of health and senior services.

34 3. The department shall deny, suspend, place on probation or revoke a license if:

35 (1) It receives official written notice that the local governing body has found that license  
36 is prohibited by any local law related to the health and safety of children. The department may,  
37 after inspection, find the licensure, denial of licensure, suspension or revocation to be in the best  
38 interest of the state; or

39 (2) It receives official written notice from the local governing body that the local  
40 license or permit for the child care facility has been denied, suspended, placed on  
41 probation, or revoked.

42 4. For any child care facility required to obtain and maintain a local license or  
43 permit issued by a political subdivision of this state and the requirements of such local  
44 license or permit are consistent with but more restrictive than the child care facility  
45 licensure requirements of the state, the child care facility shall be required to meet the  
46 requirements for the local license or permit in order to maintain the facility's state  
47 licensure. Any child care facility that does not obtain or maintain the required local license  
48 or permit shall be subject to state licensure sanction in accordance with subsection 3 of this  
49 section.

50 5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that  
51 is created under the authority delegated in sections 210.201 to 210.245 shall become effective  
52 only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if  
53 applicable, section 536.028, RSMo. All rulemaking authority delegated prior to August 28,  
54 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal  
55 or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied  
56 with all applicable provisions of law. This section and chapter 536, RSMo, are nonseverable and  
57 if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review,  
58 to delay the effective date or to disapprove and annul a rule are subsequently held  
59 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
60 August 28, 1999, shall be invalid and void.

61 6. Nothing in this section shall be construed to eliminate any licensing exemptions  
62 under state law or authorize any local licensure of such facilities otherwise exempted from  
63 state licensure.

231.444. 1. In addition to other levies authorized by law, the governing body of any  
2 county of the third classification without a township form of government having a population

3 in excess of four thousand two hundred and less than six thousand [according to the most recent  
4 decennial census] , or any county of the third classification without a township form of  
5 government and with more than two thousand three hundred but fewer than two thousand four  
6 hundred inhabitants may by ordinance levy and impose a tax pursuant to this section which shall  
7 not exceed the rate of [twenty-five cents] **one dollar** on each acre of real property in the county  
8 which is classified as agricultural and horticultural property pursuant to section 137.016, RSMo.

9 2. The proceeds of the tax authorized pursuant to this section shall be collected by the  
10 county collector and remitted to the county treasurer who shall deposit such proceeds in a special  
11 fund to be known as the "Special Road Rock Fund". All moneys in the special road rock fund  
12 shall be appropriated by the county governing body for the sole purpose of purchasing road rock  
13 to be placed on county roads within the boundaries of the county.

14 3. The ordinance levying and imposing a tax pursuant to subsection 1 of this section  
15 shall not be effective unless the county governing body submits to the qualified voters of the  
16 county a proposal to authorize the county governing body to levy and impose the tax at an  
17 election permitted pursuant to section 115.123, RSMo. The ballot of submission proposing the  
18 tax shall be in substantially the following form:

19 Shall the county of ..... (county's name) be authorized to levy and impose a tax on all  
20 real property in the county which is classified as agricultural or horticultural property at a rate  
21 not to exceed ..... (rate of tax) cents per acre with all the proceeds of the tax to be placed in  
22 the "Special Road Rock Fund" and used solely for the purpose of purchasing road rock to be  
23 placed on county roads within the boundaries of the county?

24 ☐ YES

☐ NO

25 4. If a majority of the qualified voters of the county voting on the proposal vote "YES",  
26 then the governing body of the county may by ordinance levy and impose the tax authorized by  
27 this section in an amount not to exceed the rate proposed in the ballot of submission. If a  
28 majority of the qualified voters of the county voting on the proposal vote "NO", then the  
29 governing body of the county shall not levy and impose such tax. Nothing in this section shall  
30 prohibit a rejected proposal from being resubmitted to the qualified voters of the county at an  
31 election permitted pursuant to section 115.123, RSMo.

233.010. 1. Territory not exceeding eight miles square, wherein is located any city,  
2 town or village [containing less than one hundred thousand inhabitants], may be organized as  
3 herein set forth into a special road district; provided, however, the provisions of this section shall  
4 not apply to counties under township organization or to class one counties except any first class  
5 county without a charter form of government which contains all or part of a city with a  
6 population greater than four hundred thousand and any first class county with a population of  
7 over one hundred thousand inhabitants which does not adjoin another first class county and  
8 which contains a campus of the University of Missouri; however, any county of the second class

9 which had within its boundaries, prior to January 1, 1989, a special road district already  
10 organized and existing under this section and which second class county becomes a first class  
11 county without a charter form of government under the laws of this state, such change in  
12 classification shall in no way affect the existing status, nor the right to exist, nor the legality of  
13 the organization nor the right to remain organized of any such prior existing special road district  
14 nor shall it in any way affect, alter or change the right of said special road district so existing  
15 prior to the change in classification of the second class county to function and to lawfully  
16 continue to function under this section and section 233.165, in the same manner as such special  
17 road district functioned prior to the change in classification of the second class county.  
18 **However, no city, town, or village containing more than one hundred thousand inhabitants**  
19 **may be included within the territory of a special road district organized under sections**  
20 **233.010 to 233.165.**

21 **2. The eight square mile territorial restriction provided for in subsection 1 of this**  
22 **section shall not apply to any special road district organized under the provisions of**  
23 **sections 233.010 to 233.165 within a county of the fourth classification.**

233.155. 1. Whenever the inhabitants of any special road district already formed under  
2 sections 233.010 to 233.165 shall desire to extend the boundaries of such district to take in  
3 territory not included in the original district, and shall present a petition to the county  
4 commission of the county in which such district is located, or if the proposed district is to  
5 include portions of more than one county, then to the county commissions of each of such  
6 counties, signed by not less than thirty-five voters in the old district and not less [then] **than the**  
7 **lesser of thirty-five voters or** fifty percent of the voters in the territory proposed to be taken  
8 into said district, asking the county commission or commissions of such county or counties to  
9 submit the proposition of the proposed extension of such road district to a vote of the people of  
10 such proposed district for their adoption or rejection, the county commission of such county, or  
11 if the proposed district shall include parts of more than one county, the county commissions of  
12 all such counties, shall each make an order of record that the proposed extension of said road  
13 district under the provisions of this section, describing the same by its title and the date of its  
14 approval, and describing the boundaries of the district as proposed to be extended, be submitted  
15 to the voters of such proposed road district.

16 2. The question shall be submitted in substantially the following form:  
17 Shall the special road district be extended?

18 3. If the territory of more than one county be included in said special road district, the  
19 county commission of each county in said district shall, as soon as the returns are in from said  
20 election, cause a certificate to be made out stating the number of votes cast for and against said  
21 proposition in said county, and cause such certificate to be filed with the county clerk of the  
22 county commission of every other county which shall form a part of said special road district.

23 If it shall appear from the returns of said county and from said certificate that a majority of the  
24 votes cast upon the proposition in the whole proposed district be in favor of the extension of said  
25 road district, the county commission or county commissions in said proposed district shall  
26 declare the result of the vote thereon in said proposed district by an order of record, and shall  
27 make an order of record that the above specified road district laws shall extend to and be the law  
28 in such special road district, including the extension thereof, setting out the boundaries of said  
29 district as extended, the same to take effect and be in force from and after a day to be named in  
30 such order, said day to be not more than twenty days after said election.

31 4. If any territory added to any such original district be in any county outside of the  
32 county of such original district, each county outside of such original district may appoint one  
33 road commissioner to act with the commissioners appointed in the county of the original district.  
34 Such commissioners so appointed outside of the county of the original district shall serve for a  
35 term of three years from the date of such appointment[, and until their successors shall be  
36 appointed and qualified]. Such commissioners shall be voters of such added territory in such  
37 county of their appointment. Except as herein provided, such commissioners shall be governed  
38 by sections 233.010 to 233.165. No change shall be made in the number of commissioners  
39 appointed by the county of the original district or in the manner of their appointment. **In any  
40 special road district located in two counties with an additional fourth commissioner  
41 appointed by the county outside of the original district as provided in this subsection, a  
42 fifth commissioner may be appointed by the same county that appointed the fourth  
43 commissioner. Except as herein provided, a fifth commissioner shall be governed by  
44 sections 233.010 to 233.165, shall serve for a term of three years from the date of the  
45 appointment and until the fifth commissioner's successor shall be appointed and qualified,  
46 and shall be a voter of the county of appointment.**

47 5. If a majority of the votes of the proposed district, as extended, be cast in favor of such  
48 extension, then the territory of such district, as extended, shall be governed by sections 233.010  
49 to 233.165. But if such extension proposition shall not receive a majority of the votes of said  
50 district, as extended, then said special road district shall remain as it was before said petition was  
51 filed. Any special road district extended under the provisions of this section may be extended  
52 so that after such extension it shall not be more than seventeen miles square. **The seventeen  
53 mile square restriction shall not apply to any special road district extended within a county  
54 of the fourth classification.**

**233.177. 1. In lieu of the mode of establishment set forth in section 233.175, a road  
2 district organized under sections 233.170 to 233.315 may be established by election. The  
3 election procedures established by the provisions of this section shall only apply to  
4 proposed special road districts within a county of the fourth classification.**



5           **2. Whenever fifty voters, who are voters of any such proposed special road district,**  
6 **shall file a petition with the county commission, asking the commission to submit sections**  
7 **233.170 to 233.315 to a vote of the people of such proposed road district for their adoption,**  
8 **the county commission shall make an order of record that sections 233.170 to 233.315,**  
9 **describing the same by its title and the date of its approval, be submitted to the voters of**  
10 **such proposed road district at an election.**

11           **3. The question shall be submitted in substantially the following form:**

12           **"Shall the . . . . . Road District be established?".**

13           **4. If the majority of the votes cast for and against the adoption of sections 233.170**  
14 **to 233.315 be for its adoption, the commission shall declare the result of the vote thereon**  
15 **by an order of record, and shall make an order of record declaring sections 233.170 to**  
16 **233.315 to be the law in such special road district, the same to take effect and be in force**  
17 **from and after a day to be named in such order within ten days.**

**233.297. 1. In lieu of the modes of dissolution set forth in section 233.290 or in**  
2 **section 233.295, a special road district may be dissolved by election. The dissolution**  
3 **procedure established under this section shall only apply to the dissolution of special road**  
4 **districts in counties of the fourth classification.**

5           **2. Upon presentation of a petition signed by fifty registered voters of the special**  
6 **road district, the county commission shall make an order that the dissolution of the special**  
7 **road district order that the question of dissolving the special road district shall be**  
8 **submitted to a vote of the people of the special road district. However no such petition**  
9 **may be presented until the expiration of four years from the date of establishment of the**  
10 **special road district or from the date of the last election seeking to expand or dissolve the**  
11 **special road district.**

12           **3. The question shall be submitted in substantially the following form:**

13           **"Shall the . . . . . Special Road District be dissolved?".**

14           **4. If a majority of the votes cast are in favor of the dissolution, the district shall be**  
15 **disincorporated and the operation of the law shall cease in that district.**

16           **5. The dissolution of the road district shall not affect the validity of any bonds**  
17 **issued by the road district and all levies related to such bonds shall remain in effect until**  
18 **such bonds are paid. Likewise, the dissolution of the road district shall not affect the**  
19 **validity of any special assessments or taxes levied against particular parcels or the validity**  
20 **of any unpaid taxes previously levied against a particular parcel.**

21           **6. Upon dissolution of a special road district pursuant to this section, the land**  
22 **therein shall be assigned to a new or existing common road district pursuant to chapter**  
23 **231, RSMo. If after payment of all debts of the special road district, there are funds left**  
24 **in the possession of the special road district, such funds shall be allocated proportionately**

25 to the common road districts to which the land within the former special road district were  
26 assigned based on the acreage assigned to each common road district. To the extent that  
27 funds are paid subsequent to such original allocation, other than funds connected with  
28 bond obligations under subsection 5 of this section, based on obligations assigned to  
29 particular parcels or property, such funds shall be allocated to the common road district  
30 in which such parcels or property is located.

233.317. 1. In addition to any other mechanism established by law for the  
2 expansion or extension of a road district established under sections 233.170 to 233.315,  
3 such road district may be extended by election. The provisions of this section shall only  
4 apply to the extension of special road districts in counties of the fourth classification.

5 2. Upon presentation of a petition signed by not less than thirty-five registered  
6 voters in the old district and by the lesser of thirty-five registered voters or fifty percent  
7 of the registered voters in the area to be added to the road district to the county  
8 commission, the county commission shall make an order of record that the proposed  
9 extension of said road district under the provisions of this section, describing the same by  
10 its title and the date of its approval, and describing the boundaries of the district as  
11 proposed to be extended, be submitted to the voters of such proposed road district.

12 3. The question shall be submitted in substantially the following form:

13 "Shall the . . . . . Special Road District be extended?".

14 4. If the majority of the votes cast for and against the expansion of the road district  
15 be for its expansion, the commission shall declare the result of the vote thereon by an order  
16 of record, and shall make an order of record declaring that the road district shall be  
17 expanded to include the territory covered by the petition. If the majority of the votes be  
18 against the expansion, the territory shall remain as it was prior to the vote. Any order  
19 pursuant to this section shall take effect ten days after its entry.

242.230. The chief engineer shall make a report in writing to the board of supervisors  
2 once every twelve months and [oftener] **more often** if said board shall so require. Upon receipt  
3 of the final report of said engineer concerning surveys made of the lands and other property  
4 contained in the district organized, and plans for reclaiming the same, the board of supervisors  
5 shall adopt such report or any modification thereof approved by the chief engineer after  
6 consulting with [him] **the chief engineer** or someone representing [him] **the chief engineer**, and  
7 thereafter such adopted report shall be the plan for draining, leveeing or reclaiming such lands  
8 and other property from overflow or damage by water, and it shall after such adoption be known  
9 and designated as "The Plan for Reclamation", which plan shall be filed with the secretary of the  
10 board of supervisors and [by him] copied **by the secretary** into the records of the district.  
11 Supplemental plans for draining, leveeing, or reclaiming **some or all of** the lands and other  
12 property in the district from overflow or damage by water may be adopted by the board of

13 supervisors from time to time as deemed necessary by the board of supervisors. The aforesaid  
14 supplemental plans may supplement, alter or modify "The Plan for Reclamation" and shall  
15 become a part thereof.

242.500. 1. Whenever the **board of supervisors of any district in existence as of**  
2 **August 28, 2008, or organized under this chapter after August 28, 2008, on behalf of the**  
3 **district, or the** owners of twenty-five percent or more of the acreage of the lands in the district  
4 shall file a petition with the circuit clerk in whose office the articles of association were filed,  
5 stating that there has been a material change in the values of **all or some of** the property in the  
6 district since the last previous assessment of benefits or readjustment of the assessment of  
7 benefits and praying for a readjustment of the assessment of benefits **of the property identified**  
8 **in the petition** for the purpose of making a more equitable basis for the levy of the maintenance  
9 tax or for the purpose of levying a new tax to pay the costs of the completion of the proposed  
10 works and improvements as shown in the supplemental plan for reclamation adopted by the  
11 board of supervisors pursuant to section 242.230, or for both of the aforesaid purposes, the  
12 circuit clerk shall give notice of the filing and hearing of the petition in the manner and for the  
13 time provided for in section 242.030. The notice may be in the following form:

14 Notice is hereby given to all persons interested in the lands and property included within  
15 the ..... district that a petition has been filed in the office of the clerk of the circuit court of .....  
16 County, ....., praying for a readjustment of the assessment of benefits **of all or some of the**  
17 **property in the district as identified in the petition** for the purpose(s) of ....., and that  
18 the petition will be heard by the circuit court on the ..... day of ....., 20....  
19 .....,

20 Clerk of the circuit court ..... County

21

22 Upon hearing of the petition if the court finds that there has been a material change in the values  
23 of **some or all of the** property in the district **as identified in the petition** since the last previous  
24 assessment of benefits, the court shall order that there be made a readjustment of the assessment  
25 of benefits **for the lands identified in the petition** for the purpose of providing a basis upon  
26 which to levy the maintenance tax of the district or for the purpose of levying a new tax to pay  
27 the costs of the completion of the proposed works and improvements as shown in the  
28 supplemental plan for reclamation adopted by the board of supervisors pursuant to section  
29 242.230, or for both of the aforesaid purposes.

30 2. Thereupon the court shall appoint three commissioners, possessing the qualifications  
31 of commissioners appointed under section 242.240 to make such readjustment of assessments  
32 in the manner provided in section 242.260 **with respect to the lands identified in the petition**  
33 and the commissioners shall make their report, and the same proceedings shall be had thereon,  
34 as nearly as may be, as are herein provided for the assessment of benefits accruing for original

35 construction; provided, that in making the readjustment of the assessment of benefits, the  
36 commissioners shall not be limited to the aggregate amount of the original or any readjustment  
37 of the assessment of benefits, and may assess the amount of benefits that will accrue from  
38 carrying out and putting into effect such supplemental plan for reclamation adopted by the board  
39 of supervisors pursuant to section 242.230. After the making of such readjustment, the  
40 limitation of twenty percent of the annual maintenance tax which may be levied shall apply to  
41 the amount of benefits as readjusted, and the limitation of the tax which may be levied for  
42 payment of the costs of the completion of the proposed works and improvements as shown in  
43 the aforesaid supplemental plan for reclamation shall apply to the amount of the benefits as  
44 readjusted. There shall be no such readjustment of benefits oftener than once in a year. The list  
45 of lands, and other property, with the readjusted assessed benefits and the decree and judgment  
46 of the court, shall be filed in the office of the county recorder as provided in section 242.280.

245.020. 1. After such articles of association shall have been filed, the clerk in whose  
2 office the articles of association have been filed shall give notice by causing publication to be  
3 made once in some newspaper published in each county in which the land and other property  
4 of the district are situate[; said] . **Such** notice shall be published within fourteen days of filing  
5 of the articles[; said] , **and the** notice shall be substantially in the following form and it shall be  
6 deemed sufficient for all purposes of sections 245.010 to 245.280:

7 NOTICE OF APPLICATION TO FORM LEVEE DISTRICT.

8 Notice is hereby given to all persons interested in the following described real estate and  
9 other property in ..... County of Missouri (here describe the property as set out in the articles  
10 of association) that articles of association asking that the foregoing lands and other property be  
11 formed into a levee district under the provisions of sections 245.010 to 245.280, RSMo, have  
12 been filed in this office, and the foregoing real estate and other property will be affected by the  
13 formation of said levee district and be rendered liable to taxation for the purposes of paying the  
14 expenses of organizing and making and maintaining the improvements that may be found  
15 necessary to effect the leveeing and reclamation of the land and other property in said district,  
16 and you and each of you may file objections or exceptions to said articles of association and  
17 petition on or before the ..... day of ....., 20..., in this office, but not thereafter, if any there  
18 be, why said levee district as set forth in the articles of association shall not be organized as a  
19 public corporation of the state of Missouri.

20 .....,

21 Clerk of circuit court of ..... County.

22

23 The circuit court of the county in which said articles of association have been filed shall  
24 thereafter maintain and have original and exclusive jurisdiction coextensive with the boundaries  
25 and limits of said district without regard to county lines, for all purposes of this law; provided,

26 that where lands in different counties are sought to be incorporated in the same district, it shall  
27 not be necessary to include all of the lands in said proposed levee district in the notice published  
28 in the different counties, but only such lands and other property in the district as are situate in  
29 the respective counties.

30 2. Within fourteen days of the filing of the articles, those petitioning for the creation of  
31 the district shall mail, by certified mail, a copy of the notice contained in this section to the  
32 names as listed on the county assessor's records of the owners of land **identified in the petition**  
33 or other individual or corporate franchise property in the district **identified in the petition**,  
34 including all public entities owning land within the district.

245.105. The chief engineer shall make a report in writing to the board of supervisors  
2 when said board shall so require it. Upon receipt of the final report of said engineer concerning  
3 surveys made of the lands and other property contained in the district organized, and plans for  
4 reclaiming or protecting the same the board of supervisors shall adopt such report or any  
5 modification thereof approved by the chief engineer after consulting with [him] **the chief**  
6 **engineer** or someone representing [him] **the chief engineer**, and thereafter such adopted report  
7 shall be the plan for leveeing, protecting or reclaiming such lands and other property from  
8 overflow or damage by water, and it shall after such adoption be known and designated as "the  
9 plan for reclamation" which term shall include leveeing, diking, bank protection, current control  
10 or other improvement, which plan shall be filed with the secretary of the board of supervisors  
11 and [by him] copied **by the secretary** into the records of the district. Supplemental plans for  
12 leveeing, protecting or reclaiming **some or all of** the lands and other property in the district from  
13 overflow or damage by water may be adopted by the board of supervisors from time to time as  
14 deemed necessary by the board of supervisors. The aforesaid supplemental plans may  
15 supplement, alter or modify "the plan for reclamation" and shall become a part thereof.

245.197. 1. Whenever the board of supervisors of any district now existing or hereafter  
2 organized pursuant to sections 245.010 to 245.280, for and in behalf of the district, or the owners  
3 of twenty-five percent or more of the acreage of the lands in the district, shall file a petition with  
4 the circuit clerk[,] in whose office the articles of association were filed[,] stating that there has  
5 been a material change in the values of **all or some of** the property in the district since the last  
6 previous assessment of benefits or readjustment of the assessment of benefits, and praying for  
7 a readjustment of the assessment of benefits **of the property identified in the petition** for the  
8 purpose of making a more equitable basis for the levy of the maintenance tax or for the purpose  
9 of levying a new tax to pay the costs of the completion of the proposed works and improvements  
10 as shown in the supplemental plan for reclamation adopted by the board of supervisors pursuant  
11 to section 245.105, or for both of the aforesaid purposes, the court wherein the petition is filed,  
12 if in session, or the clerk thereof in vacation, shall fix a date for the hearing of the petition which

13 date shall not be less than forty-five nor more than sixty days from the date of the filing of the  
14 petition.

15 2. The circuit clerk shall give notice **to all persons interested in the lands and**  
16 **property identified in the petition** of the filing and hearing of the petition in the manner and  
17 for the time provided for in section 245.020. Such notice may be in the following form:

18 To All Persons Interested in the **following described (insert description of lands and**  
19 **property)** Lands and Property Included Within ..... District:

20 You are hereby notified that a petition has been filed in the office of the clerk of the  
21 circuit court of ..... County, Missouri, praying for a readjustment of the assessment of benefits  
22 for the purpose(s) of .....  
23 ..... and that the petition will be heard by the circuit court  
24 on the ..... day of ....., 20.....

25 .....

26 Clerk of the Circuit Court of

27 ..... County, Missouri.

28 3. Upon the hearing of the petition, if the court finds that there has been a material  
29 change in the values of **the** property in the district **identified in the petition** since the last  
30 previous assessment of benefits, the court shall order that there be made a readjustment of the  
31 assessment of benefits **for the lands identified in the petition** for the purpose of providing a  
32 basis upon which to levy the maintenance tax of the district or for the purpose of levying a new  
33 tax to pay the costs of the completion of the proposed works and improvements as shown in the  
34 supplemental plan for reclamation adopted by the board of supervisors pursuant to section  
35 245.105, or for both of the aforesaid purposes.

36 4. Thereupon the court shall appoint three commissioners possessing the qualifications  
37 of commissioners appointed under section 245.110 to make such readjustment of assessments  
38 in the manner provided in section 245.120 **with respect to those lands identified in the**  
39 **petition**. The commissioners shall make their report, and the same proceedings shall be had  
40 thereon, as nearly as may be, as are provided in sections 245.010 to 245.280, for the assessment  
41 of benefits accruing from the original construction. In making the readjustment of the  
42 assessment of benefits, the commissioners shall not be limited to the aggregate amount of the  
43 original or any readjustment of the assessment of benefits, and may assess the amount of benefits  
44 that will accrue from carrying out and putting into effect the supplemental plan for reclamation  
45 adopted by the board of supervisors pursuant to section 245.105. After the making of the  
46 readjustment, the limitation of ten percent of the benefits assessed for the annual maintenance  
47 tax which may be levied shall apply to the amount of benefits as readjusted, and the limitation  
48 of the tax which may be levied for payment of the costs of the completion of the proposed works

49 and improvements as shown in the aforesaid supplemental plan for reclamation shall apply to  
50 the amount of the benefits readjusted.

51 5. There shall be no such readjustment of benefits [oftener] **more often** than once in a  
52 year. The lists of land and other property, with the readjusted assessed benefits and the decree  
53 and judgment of the court, shall be filed in the office of the county recorder as provided in  
54 section 245.130.

246.305. 1. In any levee **or drainage** district formed pursuant to the laws of this state  
2 having assessed valuation of real property of twenty-five million dollars or greater, which is  
3 located in whole or in part in a county with a charter form of government and with more than  
4 one million inhabitants according to the last decennial census, the board of supervisors may by  
5 order, resolution or ordinance, following a public hearing thereon called upon notice as provided  
6 in section 245.060, RSMo, adopt the following alternative procedure with respect to voting  
7 rights: voting by landowners of the levee **or drainage** district shall be determined on the basis  
8 of the assessed benefits of the property owned and the owner of each piece of property shall  
9 receive one vote per ten thousand dollars of assessed benefits, rounded to the next lowest amount  
10 in cases where assessed benefits do not evenly tally. In cases where the assessed benefits of a  
11 piece of property are below ten thousand dollars, the owner shall be entitled to one vote.

12 2. In any levee district formed under the laws of this state, the board of supervisors may,  
13 by order, resolution, or ordinance, following a public hearing thereon called upon notice as  
14 provided in section 245.060, RSMo, adopt the procedure in this subsection with respect to the  
15 apportionment of installment taxes. After the making of a readjustment of the assessment of  
16 benefits, **partial or otherwise**, pursuant to section 245.197, RSMo, then the board of supervisors  
17 shall reapportion and levy on each tract of land or other property in the district **identified in the**  
18 **petition** the taxes imposed under section 245.180, 245.190 or 245.198, RSMo, in proportion to  
19 the benefits assessed as readjusted and not in excess thereof. In case bonds have been issued as  
20 provided in sections 245.010 to 245.280, RSMo, then the amount of interest which will accrue  
21 on such bonds shall be included and added to said taxes as reapportioned and levied based upon  
22 the benefits assessed as readjusted. The secretary of the board of supervisors, as soon as said  
23 tax has been reapportioned, shall, at the expense of the district, prepare a list of all taxes as  
24 reapportioned and levied, in the form of a well-bound book, which book shall be endorsed and  
25 named "Readjusted Levee Tax Record of ..... District .....", which endorsement shall also  
26 be printed or written at the top of each page of said book, and shall be signed and certified by  
27 the president and secretary of the board of supervisors, attested by the seal of the district, and  
28 the same shall thereafter become a permanent record in the office of the secretary. The board  
29 of supervisors shall each year thereafter determine, order and levy the amount of the annual  
30 installment of the total taxes levied under section 245.180, 245.190 or 245.198, RSMo, based

31 upon such reapportionment, which shall in all other respects be due and collected as provided  
32 in section 245.185, RSMo.

33       **3. In any drainage district formed under the laws of this state, the board of**  
34 **supervisors may, by order, resolution, or ordinance, following a public hearing thereon**  
35 **called upon notice as provided in section 242.150, RSMo, adopt the procedure in this**  
36 **subsection with respect to the apportionment of installment taxes. After the making of a**  
37 **readjustment of the assessment of benefits, partial or otherwise, under section 242.500,**  
38 **RSMo, then the board of supervisors shall reapportion and levy on each tract of land or**  
39 **other property in the district identified in the petition the taxes imposed under section**  
40 **242.450, 242.470, or 242.502, RSMo, in proportion to the benefits assessed as readjusted**  
41 **and not in excess thereof. In case bonds have been issued as provided in chapter 242,**  
42 **RSMo, then the amount of interest which will accrue on such bonds shall be included and**  
43 **added to such taxes as reapportioned and levied based upon the benefits assessed as**  
44 **readjusted. As soon as the tax has been reapportioned, the secretary of the board of**  
45 **supervisors shall, at the expense of the district, prepare a list of all taxes as reapportioned**  
46 **and levied, in the form of a well-bound book, which book shall be endorsed and named**  
47 **"Readjusted Drainage Tax Record of ..... District .....", which endorsement shall also**  
48 **be printed or written at the top of each page of the book, and shall be signed and certified**  
49 **by the president and secretary of the board of supervisors, attested by the seal of the**  
50 **district, and shall thereafter become a permanent record in the office of the secretary. The**  
51 **board of supervisors shall each year thereafter determine, order, and levy the amount of**  
52 **the annual installment of the total taxes levied under section 242.450, 242.470, or 242.502,**  
53 **RSMo, based upon such reapportionment, which shall in all other respects be due and**  
54 **collected as provided in section 242.460, RSMo.**

302.341. 1. If a Missouri resident charged with a moving traffic violation of this state  
2 or any county or municipality of this state fails to dispose of the charges of which [he] **the**  
3 **resident** is accused through authorized prepayment of fine and court costs and fails to appear  
4 on the return date or at any subsequent date to which the case has been continued, or without  
5 good cause fails to pay any fine or court costs assessed against [him] **the resident** for any such  
6 violation within the period of time specified or in such installments as approved by the court or  
7 as otherwise provided by law, any court having jurisdiction over the charges shall within ten  
8 days of the failure to comply inform the defendant by ordinary mail at the last address shown  
9 on the court records that the court will order the director of revenue to suspend the defendant's  
10 driving privileges if the charges are not disposed of and fully paid within thirty days from the  
11 date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and  
12 fully pay any applicable fines and court costs, the court shall notify the director of revenue of  
13 such failure and of the pending charges against the defendant. Upon receipt of this notification,



14 the director shall suspend the license of the driver, effective immediately, and provide notice of  
15 the suspension to the driver at the last address for the driver shown on the records of the  
16 department of revenue. Such suspension shall remain in effect until the court with the subject  
17 pending charge requests setting aside the noncompliance suspension pending final disposition,  
18 or satisfactory evidence of disposition of pending charges and payment of fine and court costs,  
19 if applicable, is furnished to the director by the individual. Upon proof of disposition of charges  
20 and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set  
21 forth in section 302.304, the director shall reinstate the license. The filing of financial  
22 responsibility with the bureau of safety responsibility, department of revenue, shall not be  
23 required as a condition of reinstatement of a driver's license suspended solely under the  
24 provisions of this section.

25       **2.** If any city, town, or village receives more than [forty-five] **thirty-five** percent of its  
26 [total] annual **general operating** revenue from fines **and court costs** for traffic violations  
27 occurring on state highways, all revenues from such violations in excess of [forty-five] **thirty-**  
28 **five** percent of the [total] annual **general operating** revenue of the city, town, or village shall  
29 be sent to the director of the department of revenue and shall be distributed annually to the  
30 schools of the county in the same manner that proceeds of all penalties, forfeitures and fines  
31 collected for any breach of the penal laws of the state are distributed. For the purpose of this  
32 section the words "state highways" shall mean any state or federal highway, including any such  
33 highway continuing through the boundaries of a city, town or village with a designated street  
34 name other than the state highway number. **If any city, town, or village fails to send such**  
35 **excess revenues to the director of the department of revenue in a timely fashion which shall**  
36 **be set forth by the director by rule, such city, town, or village may submit to an annual**  
37 **audit by the state auditor under the authority of article IV, section 13 of the Missouri**  
38 **Constitution. Any rule or portion of a rule, as that term is defined in section 536.010,**  
39 **RSMo, that is created under the authority delegated in this section shall become effective**  
40 **only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and,**  
41 **if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are**  
42 **nonseverable and if any of the powers vested with the general assembly pursuant to**  
43 **chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule**  
44 **are subsequently held unconstitutional, then the grant of rulemaking authority and any**  
45 **rule proposed or adopted after August 28, 2008, shall be invalid and void.**

46       **3.** Subsection 2 of this section shall not apply before January 1, 2010, to any city,  
47 town, or village located in any county with a charter form of government and with more  
48 than six hundred thousand but fewer than seven hundred thousand inhabitants.

305.410. 1. Notwithstanding any other law to the contrary, annexation of land located within an airport zone by any city, town or village other than the municipality which owns the airport is prohibited, nor shall any areas be incorporated in such airport zones.

2. **Notwithstanding the provisions of subsection 1 of this section, a city, town, or village may annex land located within an airport zone if the city, town, or village has entered into an agreement under section 70.220, RSMo, with the municipality that owns the airport. Under the agreement, the city, town, or village shall adopt the airport zoning ordinance of the municipality owning the airport and shall agree to enforce and administer the terms of such airport zoning ordinance. Any city, town, or village, including its officers or employees, that has agreed to enforce and administer the airport zoning ordinance of the municipality that owns the airport who fails to enforce or administer the airport zoning ordinance or the terms of an agreement for enforcement and administration shall be subject to injunction, quo warranto, mandamus, or the remedies set forth in the agreement. If the city, town, or village fails to enforce the municipality's airport zoning law, the municipality owning the airport shall, in addition to all other remedies provided for in this section, have the right to enforce the zoning law against the violator by injunction or declaratory judgment.**

3. **Notwithstanding any other law to the contrary, the powers of the board of adjustment under section 89.080, RSMo, may be vested in a new board of adjustment consisting of members of the board of adjustment of the municipality that own the airport and the members of the board of adjustment of the city, town, or village that annexes land within the airport zone in accordance with an agreement to enforce and administer the zoning regulations set forth in section 305.405 and the airport zoning ordinance of the municipality that owns the airport. Notwithstanding the provisions of section 89.090, RSMo, or any other law to the contrary, the concurring vote of eight members of the new board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.**

311.060. 1. No person shall be granted a license hereunder unless such person is of good moral character and a qualified legal voter and a taxpaying citizen of the county, town, city or village, nor shall any corporation be granted a license hereunder unless the managing officer of such corporation is of good moral character and a qualified legal voter and taxpaying citizen of the county, town, city or village; and no person shall be granted a license or permit hereunder whose license as such dealer has been revoked, or who has been convicted, since the ratification of the twenty-first amendment to the Constitution of the United States, of a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor, or who

9 employs in his business as such dealer, any person whose license has been revoked or who has  
10 been convicted of violating such law since the date aforesaid; provided, that nothing in this  
11 section contained shall prevent the issuance of licenses to nonresidents of Missouri or foreign  
12 corporations for the privilege of selling to duly licensed wholesalers and soliciting orders for the  
13 sale of intoxicating liquors to, by or through a duly licensed wholesaler, within this state.

14 2. (1) No person, partnership or corporation shall be qualified for a license under this  
15 law if such person, any member of such partnership, or such corporation, or any officer, director,  
16 or any stockholder owning, legally or beneficially, directly or indirectly, ten percent or more of  
17 the stock of such corporation, or other financial interest therein, or ten percent or more of the  
18 interest in the business for which the person, partnership or corporation is licensed, or any  
19 person employed in the business licensed under this law shall have had a license revoked under  
20 this law or shall have been convicted of violating the provisions of any law applicable to the  
21 manufacture or sale of intoxicating liquor since the ratification of the twenty-first amendment  
22 to the Constitution of the United States, or shall not be a person of good moral character.

23 (2) No license issued under this chapter or chapter 312, RSMo, shall be denied,  
24 suspended, revoked or otherwise affected based solely on the fact that an employee of the  
25 licensee has been convicted of a felony unrelated to the manufacture or sale of intoxicating  
26 liquor [so long as any such employee does not directly participate in retail sales of intoxicating  
27 liquor]. Each employer shall report the identity of any employee convicted of a felony to the  
28 division of liquor control. The division of liquor control shall promulgate rules to enforce the  
29 provisions of this subdivision. **Such rules may include provisions regarding categories of**  
30 **offenders and offenses and the types of employment and activities within licensed**  
31 **establishments in which different categories of offenders may engage.**

32 (3) No wholesaler license shall be issued to a corporation for the sale of intoxicating  
33 liquor containing alcohol in excess of five percent by weight, except to a resident corporation  
34 as defined in this section.

35 3. A "resident corporation" is defined to be a corporation incorporated under the laws  
36 of this state, all the officers and directors of which, and all the stockholders, who legally and  
37 beneficially own or control sixty percent or more of the stock in amount and in voting rights,  
38 shall be qualified legal voters and taxpaying citizens of the county and municipality in which  
39 they reside and who shall have been bona fide residents of the state for a period of three years  
40 continuously immediately prior to the date of filing of application for a license, provided that  
41 a stockholder need not be a voter or a taxpayer, and all the resident stockholders of which shall  
42 own, legally and beneficially, at least sixty percent of all the financial interest in the business  
43 to be licensed under this law; provided, that no corporation, licensed under the provisions of this  
44 law on January 1, 1947, nor any corporation succeeding to the business of a corporation licensed  
45 on January 1, 1947, as a result of a tax-free reorganization coming within the provisions of

46 Section 112, United States Internal Revenue Code, shall be disqualified by reason of the new  
47 requirements herein, except corporations engaged in the manufacture of alcoholic beverages  
48 containing alcohol in excess of five percent by weight, or owned or controlled, directly or  
49 indirectly, by nonresident persons, partnerships or corporations engaged in the manufacture of  
50 alcoholic beverages containing alcohol in excess of five percent by weight.

51 4. The term "financial interest" as used in this chapter is defined to mean all interest,  
52 legal or beneficial, direct or indirect, in the capital devoted to the licensed enterprise and all such  
53 interest in the net profits of the enterprise, after the payment of reasonable and necessary  
54 operating business expenses and taxes, including interest in dividends, preferred dividends,  
55 interest and profits, directly or indirectly paid as compensation for, or in consideration of interest  
56 in, or for use of, the capital devoted to the enterprise, or for property or money advanced, loaned  
57 or otherwise made available to the enterprise, except by way of ordinary commercial credit or  
58 bona fide bank credit not in excess of credit customarily granted by banking institutions, whether  
59 paid as dividends, interest or profits, or in the guise of royalties, commissions, salaries, or any  
60 other form whatsoever.

61 5. The supervisor shall by regulation require all applicants for licenses to file written  
62 statements, under oath, containing the information reasonably required to administer this section.  
63 Statements by applicants for licenses as wholesalers and retailers shall set out, with other  
64 information required, full information concerning the residence of all persons financially  
65 interested in the business to be licensed as required by regulation. All material changes in the  
66 information filed shall be promptly reported to the supervisor.

**311.489. 1. A permit for the sale of intoxicating liquor as defined in section 311.020,  
2 and nonintoxicating beer as defined in section 312.010, RSMo, for consumption on  
3 premises where sold, and to conduct specified festival events, may be issued to any festival  
4 district, located in any home rule city with more than four hundred thousand inhabitants  
5 and located in more than one county, that includes three or more businesses that are  
6 licensed bars, nightclubs, restaurants, or other entertainment venues and a common area  
7 that is closed to vehicle traffic, provided that the permit is held by a promotional  
8 association. A "promotional association" is defined as an entity formed by property  
9 owners who own or operate fifty percent or more of the square feet of bars, nightclubs,  
10 restaurants, and other entertainment venues located within the proposed district.**

**11 2. The promotional association may obtain a permit if the promotional association  
12 submits a plan to the governing body of the city containing basic information, which  
13 includes the legal description of the district and the common area within which such  
14 festivals shall be held, the name, address, and responsible person of each business  
15 participating in the promotional association, the specific calendar of events for the district  
16 which shall not exceed twenty such events and shall include the dates and times of any such**

17 events, a description of the proposed festival activities including any proposed public street  
18 closures if applicable, proof of adequate insurance, and a detailed description of security  
19 for any proposed festivals. Such permit shall cost three hundred dollars per year. Such  
20 plan may be amended during the year subject to governing municipality approval.

21       3. If the plan is approved, the promotional association may conduct the events  
22 described in the plan and may sell liquor for consumption within the district common  
23 areas between 9:00 a.m. and 1:00 a.m. on Monday through Saturday and between 11:00  
24 a.m. and 12:00 a.m. on Sunday and in accordance with any additional time constraints  
25 stated in such plan. Such promotional association may permit customers to leave an  
26 establishment within the district after purchasing an alcoholic beverage and consume the  
27 beverage in the district common areas or another licensed establishment within the  
28 district. No person shall be allowed to take any alcoholic beverage outside the boundaries  
29 of the festival district.

30       4. If participating in a promotional association event, every bar, nightclub,  
31 restaurant, promotional association, or other entertainment venue that serves alcoholic  
32 beverages within the festival district shall use disposable paper, plastic, or foam cups or  
33 other light-weight containers for all alcoholic beverages that the bar, nightclub, restaurant,  
34 promotional association, or other entertainment venue sells within the festival district  
35 boundaries for consumption in the district common area.

36       5. If minors are allowed to enter the festival district, which shall be clearly stated  
37 in the festival district's approved plan, the applicant shall ensure that such minors are  
38 easily distinguished from persons of legal age and any approved plan shall include the  
39 method by which this provision shall be satisfied.

40       6. The holder of the permit is solely responsible for any alcohol violations occurring  
41 within the common areas. For any violation of this chapter or of any rule or regulation of  
42 the supervisor of alcohol and tobacco control, the promotional association may be assessed  
43 a civil fine of not more than five thousand dollars. If a promotional association is found  
44 to be responsible for such violations at three separate events, then such promotional  
45 association shall not seek approval for subsequent plans without the prior written consent  
46 of the supervisor of alcohol and tobacco control. The promotional association's then  
47 current plan shall be deemed terminated, and the businesses participating in the  
48 promotional association's events shall not participate in activities permitted by subsection  
49 3 of this section without prior written consent from the supervisor of alcohol and tobacco  
50 control.

320.302. 1. Volunteer fire protection associations may respond to any emergency within  
2 its area regardless of whether the property owner or individual is a member of or subscriber to  
3 the association.

2. In responding to emergencies of nonmembers or nonsubscribers of the association, the association and its firefighters shall be subject to the same liabilities for claims for death or injury to persons or property as those subjected to when responding to emergencies of members or subscribers.

3. In responding to emergencies of nonmembers or nonsubscribers, the volunteer fire protection association may charge up to the following fees:

(1) One hundred dollars for responding to an emergency;

(2) Five hundred dollars for each hour or a proportional sum for each quarter hour spent in providing emergency services; plus

(3) An amount equal to one year's subscription or membership fees. No property owner or individual shall be liable for fees or charges under this subsection if said property owner or individual notifies the volunteer fire protection association in writing, prior to the occurrence of an emergency, not to respond to an emergency on or involving his property.

4. Upon payment of the charges and fees set forth in subsection 3 of this section, the property owner or individual shall be deemed to be a member or subscriber in good standing until membership or subscriber payments are again due as prescribed by association rules and regulations.

**5. (1) Whenever the governing body of the county in which a volunteer fire protection association is located receives a petition, signed by at least one hundred registered voters residing within the association's boundaries and stating the amount of the association's subscription or membership fees, to add such fees to the personal property tax lists of the residents served by the association and to have such fees collected by the county collector, the governing body shall submit to the voters residing within the association's boundaries a proposal to add the fees to the personal property lists and have the fees collected by the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the proposal shall become effective. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the proposal shall not become effective unless and until the question is resubmitted under this section to the qualified voters residing within the association's boundaries and such question is approved by a majority of the qualified voters voting on the question.**

**(2) In any county that has adopted the plan for the listing and collection of volunteer fire protection association subscriber or membership fees authorized in this section, whenever the governing body of the county receives a petition, signed by at least one hundred association subscribers or members, calling for an election to discontinue the listing and collection of fees by the county, the governing body shall submit to the voters residing within the association's boundaries a proposal to discontinue the listing and**

41 collection of fees. If a majority of the votes cast on the question by the qualified voters  
42 voting thereon are in favor of the discontinuation, that discontinuation shall become  
43 effective on December thirty-first of the calendar year in which such discontinuation was  
44 approved. If a majority of the votes cast on the question by the qualified voters voting  
45 thereon are opposed to the discontinuation, then the listing and collection of fees shall  
46 remain effective until the question is resubmitted under this section to the qualified voters  
47 residing within the association's boundaries and the discontinuation is approved by a  
48 majority of the qualified voters voting on the question.

49 6. Any subscriber or membership fees listed on personal property tax lists and  
50 collected by the county under this section shall be disbursed to the association. The  
51 association board of directors shall control all fees and assets collected by the county.

52 7. Subscription or membership fees shall be assessed to all owners of habitable  
53 residences and real property without habitable residences within the association's  
54 boundaries. No owner of more than one habitable residence or real property shall be  
55 assessed for each habitable residence or real property owned within the association's  
56 boundaries if such residence or real property is unoccupied, but shall be assessed once as  
57 an owner within such boundaries. If any owner owns more than one occupied habitable  
58 residence or real property parcel, such owner shall be assessed once for each occupied  
59 residence or property. Subscription or membership fees shall be assessed annually.

60 8. No proposal to increase subscriber or membership fees shall be adopted without  
61 approval by a majority of the qualified subscribers or members of the association, nor  
62 shall be presented less than two years from the last increase in fees. No fees shall be  
63 increased by more than one-half of one percent in any proposal to increase such fees. No  
64 subscription or membership fees shall be changed unless the governing body of the county  
65 submits a proposal to change the fees to the voters residing within the association's  
66 boundaries. If a majority of the votes cast on the question by the qualified voters voting  
67 thereon are in favor of the question, then the proposal shall become effective. If a majority  
68 of the votes cast on the question by the qualified voters voting thereon are opposed to the  
69 question, then the proposal shall not become effective unless and until the question is  
70 resubmitted under this section to the qualified voters residing within the association's  
71 boundaries and such question is approved by a majority of the qualified voters voting on  
72 the question.

321.200. 1. The board shall meet regularly, not less than once each month, at a time and  
2 at some building in the district to be designated by the board. Notice of the time and place of  
3 future regular meetings shall be posted continuously at the firehouse or firehouses of the district.  
4 Additional meetings may be held, when the needs of the district so require, at a place regular  
5 meetings are held, and notice of the time and place shall be given to each member of the board.

6 Meetings of the board shall be held and conducted in the manner required by the provisions of  
7 chapter 610, RSMo. All minutes of meetings of the board and all other records of the fire  
8 protection district shall be available for public inspection at the main firehouse within the district  
9 by appointment with the secretary of the board within one week after a written request is made  
10 between the hours of 8:00 a.m. and 5:00 p.m. every day except Sunday. A majority of the  
11 members of the board shall constitute a quorum at any meeting and no business shall be  
12 transacted unless a quorum is present. The board, acting as a board, shall exercise all powers  
13 of the board, without delegation thereof to any other governmental or other body or entity or  
14 association **except as provided in subsection 3 of this section**, and without delegation thereof  
15 to less than a quorum of the board. Agents, employees, engineers, auditors, attorneys, [firemen]  
16 **firefighters**, and any other member of the staff of the district may be employed or discharged  
17 only by a board which includes at least two directors; but any board of directors may suspend  
18 from duty any such person or staff member who willfully and deliberately neglects or refuses  
19 to perform his or her regular functions.

20         2. Any vacancy on the board shall be filled by the remaining elected members of the  
21 board, except when less than two elected members remain on the board any vacancy shall be  
22 filled by the circuit court of the county in which all or a majority of the district lies. The  
23 appointee or appointees shall act until the next biennial election at which a director or directors  
24 are elected to serve the remainder of the unexpired term.

25         **3. Upon a majority vote of the board, the board may delegate such powers and**  
26 **responsibilities granted in subdivisions (4), (6), (8), (9), and (11) of section 321.220, and**  
27 **granted in subdivisions (4), (6), (8), (9), and (11) of section 321.600, to the fire chief as the**  
28 **board deems appropriate for the efficient operation of the district. The board shall have**  
29 **the power to rescind any delegation of power under this subsection by majority vote of the**  
30 **board.**

349.045. [1.] Except as provided in subsection 2 of this section, the corporation shall  
2 have a board of directors in which all the powers of the corporation shall be vested and which  
3 shall consist of any number of directors, not less than five, all of whom shall be duly qualified  
4 electors of and taxpayers in the county or municipality; except that, for any industrial  
5 development corporation formed by any municipality located wholly within any county of the  
6 second, third, or fourth classification, directors may be qualified taxpayers in and registered  
7 voters of such county. The directors shall serve as such without compensation except that they  
8 shall be reimbursed for their actual expenses incurred in and about the performance of their  
9 duties hereunder. The directors shall be resident taxpayers for at least one year immediately  
10 prior to their appointment. No director shall be an officer or employee of the county or  
11 municipality. All directors shall be appointed by the chief executive officer of the county or  
12 municipality with the advice and consent of a majority of the governing body of the county or



13 municipality, and in all counties, other than a city not within a county and counties with a charter  
14 form of government, the appointments shall be made by the county commission and they shall  
15 be so appointed that they shall hold office for staggered terms. At the time of the appointment  
16 of the first board of directors the governing body of the municipality or county shall divide the  
17 directors into three groups containing as nearly equal whole numbers as may be possible. The  
18 first term of the directors included in the first group shall be two years, the first term of the  
19 directors included in the second group shall be four years, the first term of the directors in the  
20 third group shall be six years; provided, that if at the expiration of any term of office of any  
21 director a successor thereto shall not have been appointed, then the director whose term of office  
22 shall have expired shall continue to hold office until a successor shall be appointed by the chief  
23 executive officer of the county or municipality with the advice and consent of a majority of the  
24 governing body of the county or municipality. The successors shall be resident taxpayers for  
25 at least one year immediately prior to their appointment.

26 [2. A corporation in a county of the third classification without a township form of  
27 government and with more than ten thousand four hundred but fewer than ten thousand five  
28 hundred inhabitants shall have a board of directors in which all the powers of the corporation  
29 shall be vested and which shall consist of a number of directors not less than the number of  
30 townships in such county. All directors shall be duly qualified electors of and taxpayers in the  
31 county. Each township within the county shall elect one director to the board. Additional  
32 directors may be elected to the board to succeed directors appointed to the board as of the  
33 effective date of this section if the number of directors on the effective date of this section  
34 exceeds the number of townships in the county. The directors shall serve as such without  
35 compensation except that they shall be reimbursed for their actual expenses incurred in the  
36 performance of their duties. The directors shall be resident taxpayers for at least one year  
37 immediately prior to their election. No director shall be an officer or employee of the county.  
38 Upon the expiration of the term of office of any director appointed to the board prior to the  
39 effective date of this section, a director shall be elected to succeed him or her; provided that if  
40 at the expiration of any term of office of any director a successor thereto shall not have been  
41 elected, then the director whose term of office shall have expired shall continue to hold office  
42 until a successor shall be elected. The successors shall be resident taxpayers for at least one year  
43 immediately prior to their election.]

**473.745. 1. Any city not within a county shall provide suitable furnishings for the  
2 public administrator and through its supply commissioner shall purchase all necessary  
3 supplies for such public administrator. All such supplies shall be furnished upon  
4 requisition of the public administrator for such city not within a county, which shall be  
5 approved by the comptroller.**

6           **2. All the necessary expenses incurred by the public administrator of any city not**  
7 **within a county in the conduct of the duties of his or her office shall, upon his or her**  
8 **requisition, be approved by the comptroller and be paid out of the treasury of such city not**  
9 **within a county.**

10           **3. The public administrator for any city not within a county shall employ as many**  
11 **deputies and assistants as may be necessary to perform the duties of his or her office, and**  
12 **fix the compensation for their services; however, such compensation shall not in any case**  
13 **exceed the annual rate of compensation fixed by the board of aldermen for such city not**  
14 **within a county. For additional duties imposed by this section, the public administrator**  
15 **may act as trustee or successor trustee when so appointed by the circuit court or the**  
16 **probate division of the circuit court.**

          478.466. 1. In the sixteenth judicial circuit consisting of the county of Jackson, a  
2 majority of the court en banc may appoint one person, who shall possess the same qualifications  
3 as an associate circuit judge, to act as drug court commissioner. The commissioner shall be  
4 appointed for a term of four years. The compensation of the commissioner shall be the same as  
5 that of an associate circuit judge and[, subject to appropriation from the county legislature of the  
6 county wherein such circuit is wholly located, reimbursed from proceeds from the county  
7 antidrug sales tax adopted pursuant to section 67.547, RSMo. The county wherein such circuit  
8 is wholly located shall pay to and reimburse the state for the actual costs of the salary and  
9 benefits of the drug commissioner appointed pursuant to this section] **paid out of the same**  
10 **source as the compensation of all other drug court commissioners in the state.** The  
11 retirement benefits of such commissioner shall be the same as those of an associate circuit judge,  
12 payable in the same manner and from the same source as those of an associate circuit judge.  
13 Subject to approval or rejection by a circuit judge, the commissioner shall have all the powers  
14 and duties of a circuit judge. A circuit judge shall by order of record reject or confirm any order,  
15 judgment and decree of the commissioner within the time the judge could set aside such order,  
16 judgment or decree had the same been made by him. If so confirmed, the order, judgment or  
17 decree shall have the same effect as if made by the judge on the date of its confirmation.

18           2. The court administrator of the sixteenth judicial circuit shall charge and collect a  
19 surcharge of thirty dollars in all proceedings assigned to the drug commissioner for disposition,  
20 provided that the surcharge shall not be charged in any proceeding when costs are waived or are  
21 to be paid by the state, county or municipality. Moneys obtained from such surcharge shall be  
22 collected and disbursed in the manner provided by sections 488.010 to 488.020, RSMo, and  
23 payable to the drug commissioner for operation of the drug court.

          488.435. 1. Sheriffs shall receive a charge, as provided in section 57.280, RSMo, for  
2 service of any summons, writ or other order of court, in connection with any civil case, and  
3 making on the same either a return indicating service, a non est return or a nulla bona return, the

4 sum of twenty dollars for each item to be served, as provided in section 57.280, RSMo, except  
5 that a sheriff shall receive a charge for service of any subpoena, and making a return on the  
6 same, the sum of ten dollars, as provided in section 57.280, RSMo; however, no such charge  
7 shall be collected in any proceeding when court costs are to be paid by the state, county or  
8 municipality. In addition to such charge, the sheriff shall be entitled, as provided in section  
9 57.280, RSMo, to receive for each mile actually traveled in serving any summons, writ,  
10 subpoena or other order of court, the rate prescribed by the Internal Revenue Service for all  
11 allowable expenses for motor vehicle use expressed as an amount per mile, provided that such  
12 mileage shall not be charged for more than one subpoena or summons or other writ served in the  
13 same cause on the same trip. All of such charges shall be received by the sheriff who is  
14 requested to perform the service. Except as otherwise provided by law, all charges made  
15 pursuant to section 57.280, RSMo, shall be collected by the court clerk as court costs and are  
16 payable prior to the time the service is rendered; provided that if the amount of such charge  
17 cannot be readily determined, then the sheriff shall receive a deposit based upon the likely  
18 amount of such charge, and the balance of such charge shall be payable immediately upon  
19 ascertainment of the proper amount of such charge. A sheriff may refuse to perform any service  
20 in any action or proceeding, other than when court costs are waived as provided by law, until  
21 the charge provided by this section is paid. Failure to receive the charge shall not affect the  
22 validity of the service.

23       2. The sheriff shall, as provided in section 57.280, RSMo, receive for receiving and  
24 paying moneys on execution or other process, where lands or goods have been levied and  
25 advertised and sold, five percent on five hundred dollars and four percent on all sums above five  
26 hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy,  
27 or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or  
28 person entitled thereto, his or her agent or attorney. The party at whose application any writ,  
29 execution, subpoena or other process has issued from the court shall pay the sheriff's costs, as  
30 provided in section 57.280, RSMo, for the removal, transportation, storage, safekeeping and  
31 support of any property to be seized pursuant to legal process before such seizure. The sheriff  
32 shall be allowed for each mile, as provided in section 57.280, RSMo, going and returning from  
33 the courthouse of the county in which he or she resides to the place where the court is held, the  
34 rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use  
35 expressed as an amount per mile. The provisions of this subsection shall not apply to  
36 garnishment proceeds.

37       **3. As provided in subsection 4 of section 57.280, RSMo, the sheriff shall receive ten**  
38 **dollars for service of any summons, writ, subpoena, or other order of the court included**  
39 **under subsection 1 of section 57.280, RSMo, in addition to the charge for such service that**  
40 **each sheriff receives under subsection 1 of section 57.280, RSMo. Except as otherwise**

41 **provided in subdivision (2) of subsection 4 of section 57.280, RSMo, the money received by**  
42 **the sheriff under subdivision (1) of subsection 4 of section 57.280, RSMo, shall be paid into**  
43 **the county treasury and the county treasurer shall make such money payable to the state**  
44 **treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary**  
45 **supplementation fund created under section 57.278, RSMo.**

546.902. **Notwithstanding any other provisions of law to the contrary, any**  
2 **municipality located within any county of the first classification with a population in excess of**  
3 **nine hundred thousand or any municipality located within any county with a charter form**  
4 **of government and with more than two hundred fifty thousand but fewer than three**  
5 **hundred fifty thousand inhabitants, for any purpose or purposes mentioned in this chapter,**  
6 **may enact and make all necessary ordinances, rules and regulations; and they may enact and**  
7 **make all such ordinances and rules, not inconsistent with the laws of the state, as may be**  
8 **expedient for maintaining the peace and good government and welfare of the city and its trade**  
9 **and commerce; and all ordinances, except for those governing traffic violations on any**  
10 **roadway in any county with a charter form of government and with more than two**  
11 **hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that may**  
12 **be enforced as otherwise provided by section 79.470, RSMo, or chapter 304, RSMo, may**  
13 **be enforced by prescribing and inflicting upon its inhabitants, or other persons violating the**  
14 **same, such fine not exceeding one thousand dollars, and such imprisonment not exceeding three**  
15 **months, or both such fine and imprisonment, as may be just for any offense, recoverable with**  
16 **costs of suit, together with judgment of imprisonment, until the fine and costs are paid or**  
17 **satisfied; and any person committed for the nonpayment of fine and costs, or either, may be**  
18 **compelled to work out the same as herein provided; but, in any case wherein the penalty for an**  
19 **offense is fixed by any statute, the council shall affix the same penalty by ordinance for the**  
20 **punishment of such offense, except that imprisonments, when made under city ordinances, may**  
21 **be in the city prison or workhouse instead of the county jail.**

**644.020. No evidence or facts obtained in connection with or for the purpose of**  
2 **developing rules, regulations, limitations, standards, permit conditions, or inspecting or**  
3 **investigating any records required to be kept by sections 644.006 to 644.141, or any permit**  
4 **issued under sections 644.006 to 644.141, or for the purpose of aiding or enabling any**  
5 **enforcement action under this chapter, or investigation for the purposes of enforcing any**  
6 **rules or regulations promulgated under sections 644.006 to 644.141 shall be permitted to**  
7 **be used in any manner or introduced in any legal or administrative proceeding or**  
8 **investigation relating to land disturbance activities associated with water pollution, erosion**  
9 **control, or any discharge to waters of the state associated with land disturbance activities**  
10 **unless the evidence or facts are obtained at reasonable times after the giving of prior**  
11 **reasonable written notice of at least forty-eight hours to the owner of such private or public**

12 **property or the contract or in control of the land disturbance activities at such property,**  
13 **provided, in the case of an emergency that is reasonably likely to endanger public health**  
14 **or safety, such notice may consist of verbal notice in person or by telephone given no less**  
15 **than five hours before such entry onto the property. The results of any such investigation**  
16 **shall be reduced to writing and shall be furnished to the owner or contractor in control of**  
17 **land disturbance activities at the property within five days following such investigation.**  
18 **No person shall refuse entry or access requested for the purposes of inspection under this**  
19 **section to an authorized representative in carrying out the inspection.**

2 650.350. 1. There is hereby created within the department of public safety the "Missouri  
3 Sheriff Methamphetamine Relief Taskforce" (MoSMART). MoSMART shall be composed of  
4 five sitting sheriffs. Every two years, the Missouri Sheriffs' Association board of directors will  
5 submit twenty names of sitting sheriffs to the governor. The governor shall appoint five  
6 members from the list of twenty names, having no more than three from any one political party,  
7 to serve a term of two years on MoSMART. The members shall elect a chair from among their  
8 membership. Members shall receive no compensation for the performance of their duties  
9 pursuant to this section, but each member shall be reimbursed from the MoSMART fund for  
10 actual and necessary expenses incurred in carrying out duties pursuant to this section.

11 2. MoSMART shall meet no less than twice each calendar year with additional meetings  
12 called by the chair upon the request of at least two members. A majority of the appointed  
13 members shall constitute a quorum.

14 3. A special fund is hereby created in the state treasury to be know as the "MoSMART  
15 Fund". The state treasurer shall invest the moneys in such fund in the manner authorized by law.  
16 All moneys received for MoSMART from interest, state, and federal moneys shall be deposited  
17 to the credit of the fund. The director of the department of public safety shall distribute at least  
18 fifty percent but not more than one hundred percent of the fund annually in the form of grants  
19 approved by MoSMART.

20 4. **Except for money deposited into the deputy sheriff salary supplemental fund**  
21 **created under section 57.278, RSMo,** all moneys appropriated to or received by MoSMART  
22 shall be deposited and credited to the MoSMART fund. The department of public safety shall  
23 only be reimbursed for actual and necessary expenses for the administration of MoSMART,  
24 which shall be no less than one percent and which shall not exceed two percent of all moneys  
25 appropriated to the fund, **except that the department shall not receive any amount of the**  
26 **money deposited into the deputy sheriff salary supplemental fund for administrative**  
27 **purposes.** The provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys  
28 in the MoSMART fund shall not lapse to general revenue at the end of the biennium.

29 5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that  
is created under the authority delegated in this section shall become effective only if it complies

30 with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section  
31 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers  
32 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the  
33 effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the  
34 grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be  
35 invalid and void.

36 6. Any county law enforcement entity or established task force with a memorandum of  
37 understanding and protocol may apply for grants from the MoSMART fund on an application  
38 to be developed by the department of public safety with the approval of MoSMART. All  
39 applications shall be evaluated by MoSMART and approved or denied based upon the level of  
40 funding designated for methamphetamine enforcement before 1997 and upon current need and  
41 circumstances. No applicant shall receive a MoSMART grant in excess of one hundred  
42 thousand dollars per year. The department of public safety shall monitor all MoSMART grants.  
43

44 7. MoSMART's anti-methamphetamine funding priorities are as follows:

45 (1) Sheriffs who are participating in coordinated multijurisdictional task forces and have  
46 their task forces apply for funding;

47 (2) Sheriffs whose county has been designated HIDTA counties, yet have received no  
48 HIDTA or narcotics assistance program funding; and

49 (3) Sheriffs without HIDTA designations or task forces, whose application justifies the  
50 need for MoSMART funds to eliminate methamphetamine labs.

51 **8. MoSMART shall administer the deputy sheriff salary supplemental fund as**  
52 **provided under section 57.278, RSMo.**

Section B. Because of the need to establish an equitable fee structure for the registration  
2 of bonds, the repeal and reenactment of section 108.250 of section A of this act is deemed  
3 necessary for the immediate preservation of the public health, welfare, peace and safety, and is  
4 hereby declared to be an emergency act within the meaning of the constitution, and the repeal  
5 and reenactment of section 108.250 of section A of this act shall be in full force and effect upon  
6 its passage and approval.

✓